

EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

CIVIL ACTION NO.: 2:21-cv-00300-MHH

KATHRYN HENDRIX,
Plaintiff,

v.

CRC INSURANCE SERVICES, INC., TRUIST
FINANCIAL CORP., AND TRUIST BANK,
Defendants.

VIDEOTAPED DEPOSITION TESTIMONY OF:

KATHRYN HENDRIX

July 18, 2023

Job No. CS5999253

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| <p style="text-align: right;">Page 2</p> <p>1 S T I P U L A T I O N S</p> <p>2 IT IS STIPULATED AND AGREED</p> <p>3 by and between the parties through their</p> <p>4 respective counsel that the deposition of</p> <p>5 KATHRYN HENDRIX may be taken before Lane</p> <p>6 C. Butler, a Court Reporter and Notary</p> <p>7 Public for the State at Large, at the law</p> <p>8 offices of Baker, Donelson, Bearman,</p> <p>9 Caldwell & Berkowitz, 1901 Sixth Avenue</p> <p>10 North, Suite 2600, Birmingham, Alabama,</p> <p>11 on the 18th day of July, 2023, commencing</p> <p>12 at approximately 9:10 a.m. Central.</p> <p>13 IT IS FURTHER STIPULATED</p> <p>14 AND AGREED that it shall not be necessary</p> <p>15 for any objections to be made by counsel</p> <p>16 to any questions except as to form or</p> <p>17 leading questions and that counsel for</p> <p>18 the parties may make objections and</p> <p>19 assign grounds at the time of trial or at</p> <p>20 the time said deposition is offered in</p> <p>21 evidence, or prior thereto.</p> <p>22 In accordance with the Federal</p> <p>23 Rules of Civil Procedure, I, Lane C.</p> | <p style="text-align: right;">Page 4</p> <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4</p> <p>5 Leslie A. Palmer, Esq.</p> <p>6 PALMER LAW</p> <p>7 104 23rd Street South, Suite 100</p> <p>8 Birmingham, Alabama 35233</p> <p>9 leslie@palmerlegalservices.com</p> <p>10</p> <p>11 Cynthia F. Wilkinson, Esq.</p> <p>12 WILKINSON LAW FIRM</p> <p>13 1717 Third Avenue North, Suite A</p> <p>14 Birmingham, Alabama 35203</p> <p>15 cwilkinson@wilkinsonfirm.net</p> <p>16</p> <p>17 Patricia A. Gill, Esq. (via Teams)</p> <p>18 PATRICIA A. GILL, P.C.</p> <p>19 Post Office Box 55204</p> <p>20 Birmingham, Alabama 35255</p> <p>21 patriciagill@yahoo.com</p> <p>22</p> <p>23</p> |
| <p style="text-align: right;">Page 3</p> <p>1 Butler, am hereby delivering to Rachel</p> <p>2 Barlotta, Esq., the original transcript</p> <p>3 of the oral testimony taken the 18th day</p> <p>4 of July, 2023.</p> <p>5 Please be advised that this is</p> <p>6 the same and not retained by the Court</p> <p>7 Reporter, nor filed with the Court.</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> | <p style="text-align: right;">Page 5</p> <p>1 FOR THE DEFENDANTS:</p> <p>2</p> <p>3 Rachel V. Barlotta, Esq.</p> <p>4 Kayla Wunderlich, Esq.</p> <p>5 BAKER, DONELSON, BEARMAN, CALDWELL &</p> <p>6 BERKOWITZ</p> <p>7 1901 Sixth Avenue North, Suite 2600</p> <p>8 Birmingham, Alabama 35203</p> <p>9 rbarlotta@bakerdonelson.com</p> <p>10 kwunderlich@bakerdonelson.com</p> <p>11</p> <p>12</p> <p>13 ALSO PRESENT:</p> <p>14</p> <p>15 Christina Bailey, Esq. (via Zoom)</p> <p>16 Corey Daugherty</p> <p>17 Karen Kelley, videographer</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> |

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| <p style="text-align: right;">Page 10</p> <p>1 I, Lane C. Butler, a Court 2 Reporter and Notary Public, State of 3 Alabama at Large, acting as Notary, 4 certify that on this date, pursuant to 5 the Federal Rules of Civil Procedure and 6 the foregoing stipulation of counsel, 7 there came before me at the law offices 8 of Baker, Donelson, Bearman, Caldwell & 9 Berkowitz, 1901 Sixth Avenue North, Suite 10 2600, Birmingham, Alabama, commencing at 11 approximately 9:10 a.m., on the 18th day 12 of July, 2023, KATHRYN HENDRIX, witness 13 in the above cause, for oral examination, 14 whereupon the following proceedings were 15 had: 16 17 THE VIDEOGRAPHER: Good morning. 18 We're going on the record at 9:10 a.m. on 19 July 18, 2023. This is Media Unit 1 in 20 the videorecorded deposition of Kathryn 21 Hendrix in the matter of Kathryn Hendrix 22 v. CRC Insurance Services, Inc.; Truist 23 Financial Corp.; and Truist Bank, filed</p> | <p style="text-align: right;">Page 12</p> <p>1 KATHRYN HENDRIX, 2 being first duly sworn, 3 was examined and testified as follows: 4 5 THE COURT REPORTER: Thank you. 6 And, attorneys, usual 7 stipulations? 8 MS. PALMER: We'll read and 9 sign. 10 MS. BARLOTTA: I also just 11 wanted to state for the record, I expect 12 Christina Bailey to be joining via 13 Microsoft Teams. That's why that camera 14 is set up. She's in-house counsel for 15 Truist. 16 17 EXAMINATION BY MS. BARLOTTA: 18 Q. All right. Good morning, Ms. 19 Hendrix. 20 A. Good morning. 21 Q. We've met before. Again, my 22 name is Rachel Barlotta. I am 23 representing CRC and Truist in the</p> |
| <p style="text-align: right;">Page 11</p> <p>1 in the United States District Court for 2 the Northern District of Alabama, 3 Southern Division, Case No. 4 2:21-cv-00300. This deposition is being 5 held at 1901 Sixth Avenue North, 6 Birmingham, Alabama. 7 My name is Karen Kelley. I'm 8 the videographer. The court reporter is 9 Lane Butler, both with Veritext. 10 If counsel could please 11 introduce yourself, after which the court 12 reporter will swear in the witness. 13 14 MS. BARLOTTA: Rachel Barlotta, 15 counsel for defendants. 16 MS. WUNDERLICH: Kayla 17 Wunderlich, counsel for defendants. 18 MS. PALMER: Leslie Palmer, 19 counsel for plaintiff, Kat Hendrix. 20 MS. WILKINSON: Cynthia 21 Wilkinson, counsel for the plaintiff, Kat 22 Hendrix. 23</p> | <p style="text-align: right;">Page 13</p> <p>1 lawsuit that you filed. I'm going to be 2 asking you some questions today about the 3 claims that you've made against those 4 parties. And you had the benefit of 5 sitting through Mr. Daugherty's and Ms. 6 Stefani Petty's deposition; correct? 7 A. Correct. 8 Q. So you were able to observe 9 those depositions and kind of see how 10 they worked. Is that right? 11 A. Yes. 12 Q. Okay. And then because of that, 13 I'm not going to spend a lot of time 14 going through the ground rules of the 15 depositions, but I do want to talk to you 16 about two points before we get into the 17 substance of the case. 18 A. Okay. 19 Q. And one of those is that the 20 court reporter just put you under oath. 21 Do you know what that means? 22 A. I do. 23 Q. Okay. What does that mean?</p> |

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| <p style="text-align: right;">Page 14</p> <p>1 A. To tell the truth.</p> <p>2 Q. Okay. And you understand you</p> <p>3 have to tell the truth today in the</p> <p>4 deposition just like you would in front</p> <p>5 of a judge and jury?</p> <p>6 A. Yes.</p> <p>7 Q. And you understand that there</p> <p>8 can be civil or criminal penalties if you</p> <p>9 don't tell the truth in the deposition?</p> <p>10 A. Yes.</p> <p>11 Q. The other thing I want to let</p> <p>12 you know about is that we are in the</p> <p>13 discovery process in this case, and part</p> <p>14 of that is taking depositions. And that</p> <p>15 is so we can get -- both sides can get an</p> <p>16 understanding of the other parties'</p> <p>17 positions and the evidence that they're</p> <p>18 going to use to support their claims and</p> <p>19 defenses. So absent unusual</p> <p>20 circumstances, the parties are only</p> <p>21 allowed to take a deposition one time.</p> <p>22 A. Okay.</p> <p>23 Q. Which means today is the only</p> | <p style="text-align: right;">Page 16</p> <p>1 prepare for that deposition?</p> <p>2 A. I met with my attorneys, and I</p> <p>3 reviewed the documents that you guys have</p> <p>4 provided and that I have provided y'all.</p> <p>5 Q. How long did you meet with your</p> <p>6 attorneys?</p> <p>7 A. A couple of hours.</p> <p>8 Q. Other than your counsel, have</p> <p>9 you talked to anyone today about the fact</p> <p>10 that you were going to be giving a</p> <p>11 deposition?</p> <p>12 A. My family knows.</p> <p>13 Q. Anyone other than your family?</p> <p>14 A. I do have some friends that</p> <p>15 know.</p> <p>16 Q. And who are they?</p> <p>17 A. My best friend, Sami Strange,</p> <p>18 knows. I'm sorry, I'm very nervous, so.</p> <p>19 Q. That's fine. Take your time.</p> <p>20 A. Okay. Jean Muller.</p> <p>21 Q. Any other friends you've spoke</p> <p>22 to --</p> <p>23 A. Sarah Sullivan. And my friend</p> |
| <p style="text-align: right;">Page 15</p> <p>1 day that Truist and CRC, through their</p> <p>2 lawyer, me, gets to ask you questions</p> <p>3 about your claims. So for that reason,</p> <p>4 I'm going to ask that when you answer a</p> <p>5 question, that you would do so and be as</p> <p>6 accurate and complete as possible. Can</p> <p>7 you do that?</p> <p>8 A. I can.</p> <p>9 Q. If you do not understand a</p> <p>10 question that I ask, will you please let</p> <p>11 me know that?</p> <p>12 A. Yes.</p> <p>13 Q. If you answer the question, I'm</p> <p>14 going to assume that you understood it.</p> <p>15 Is that fair?</p> <p>16 A. Yes.</p> <p>17 Q. How long have you known that you</p> <p>18 were going to have to give a deposition</p> <p>19 in this case?</p> <p>20 A. Since it was filed.</p> <p>21 Q. And what --</p> <p>22 A. I assume.</p> <p>23 Q. And what have you done to</p> | <p style="text-align: right;">Page 17</p> <p>1 Morgan Amos. And I didn't talk about the</p> <p>2 case. They just -- I just told them I</p> <p>3 was having a deposition today.</p> <p>4 Q. Are any of those individuals you</p> <p>5 just named, did they -- any of them ever</p> <p>6 work for CRC or BB&T?</p> <p>7 A. Jean did.</p> <p>8 Q. What was her role?</p> <p>9 A. She started in the internal</p> <p>10 audit department, and she was a corporate</p> <p>11 trainer. She retired in 2015-ish, I</p> <p>12 think.</p> <p>13 Q. Since you left your employment</p> <p>14 with CRC in November of 2019, have you</p> <p>15 communicated with any current or former</p> <p>16 CRC employees about your allegations in</p> <p>17 this case?</p> <p>18 A. In Birmingham?</p> <p>19 Q. Any. Any.</p> <p>20 A. Not details of the case.</p> <p>21 Q. Okay. Who have you spoken to</p> <p>22 about the case? And I'm talking -- the</p> <p>23 time frame I'm talking about is since you</p> |

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| <p style="text-align: right;">Page 18</p> <p>1 left your employment through today.</p> <p>2 A. I have a good friend that works</p> <p>3 in the Dallas office. He's aware.</p> <p>4 Q. You said in the Dallas office?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Okay. Is that a yes?</p> <p>7 A. Yes.</p> <p>8 Q. And what is his name?</p> <p>9 A. Kenneth Kelly.</p> <p>10 Q. Okay. Are you okay? Do you</p> <p>11 need to take a break?</p> <p>12 A. No.</p> <p>13 Q. Okay. Well, I should have let</p> <p>14 you -- well, I didn't let you know that</p> <p>15 because I maybe assumed that you knew</p> <p>16 that. But if at any point in time today</p> <p>17 you need to take a break, just let me</p> <p>18 know.</p> <p>19 A. Okay.</p> <p>20 Q. Okay?</p> <p>21 Okay. Any -- any other current</p> <p>22 or former CRC employees that you've</p> <p>23 talked to about your claims in this case</p> | <p style="text-align: right;">Page 20</p> <p>1 once a month just to keep up with each</p> <p>2 other.</p> <p>3 Q. And what did you talk to with</p> <p>4 them about this case?</p> <p>5 A. That I had filed a suit.</p> <p>6 Q. Anything else?</p> <p>7 A. They were familiar with the</p> <p>8 issues I was having while working there</p> <p>9 because we were friends then too.</p> <p>10 Q. And what were those issues?</p> <p>11 A. The discrimination that was</p> <p>12 happening to the women in the department</p> <p>13 and it being ignored.</p> <p>14 Q. And have you asked either of</p> <p>15 them to be a witness in the case?</p> <p>16 A. No.</p> <p>17 Q. Do you expect them to be</p> <p>18 witnesses in the case?</p> <p>19 A. No.</p> <p>20 Q. All right. Where did you go to</p> <p>21 -- where did you go to college?</p> <p>22 A. Birmingham-Southern.</p> <p>23 Q. What was your major?</p> |
| <p style="text-align: right;">Page 19</p> <p>1 since you left your employment?</p> <p>2 A. Lauren Lindberg.</p> <p>3 Q. Okay. Anybody else?</p> <p>4 A. I can't recall anybody else</p> <p>5 right now.</p> <p>6 Q. When is the last time you spoke</p> <p>7 with Ms. Lindberg?</p> <p>8 A. I --</p> <p>9 Q. Or communicated. I should say</p> <p>10 that. I mean, -- "communicated" meaning</p> <p>11 phone, text, e-mail.</p> <p>12 A. I think it was maybe March or</p> <p>13 April 2020, I think.</p> <p>14 Q. Okay.</p> <p>15 A. We gave you guys the text, and</p> <p>16 that was the last communication.</p> <p>17 Q. Okay. And your communications</p> <p>18 with Kenneth Kelly, how -- have those</p> <p>19 been texts? Snapchat? How have those</p> <p>20 been with him?</p> <p>21 A. Me, Ken, and Jean were close</p> <p>22 while Ken worked in the -- the training</p> <p>23 department, too, so we have Zooms about</p> | <p style="text-align: right;">Page 21</p> <p>1 A. Accounting.</p> <p>2 Q. Did you have any scholarships</p> <p>3 there?</p> <p>4 A. Very small. I don't remember</p> <p>5 the name of it.</p> <p>6 Q. Was it an academic scholarship?</p> <p>7 A. I think maybe. I really can't</p> <p>8 remember.</p> <p>9 Q. Were you accepted to any other</p> <p>10 schools other than Birmingham-Southern?</p> <p>11 A. I think Auburn and Alabama.</p> <p>12 Q. Were you offered scholarships</p> <p>13 there?</p> <p>14 A. No.</p> <p>15 Q. How were your grades in college?</p> <p>16 A. I graduated with a 3.2.</p> <p>17 Q. And what was your first job out</p> <p>18 of college?</p> <p>19 A. Staff accountant at Dixon</p> <p>20 Hughes.</p> <p>21 Q. How did you get that job?</p> <p>22 A. I participated in an internship</p> <p>23 program that Birmingham-Southern did.</p> |

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| <p style="text-align: right;">Page 22</p> <p>1 Q. What did you do as a staff 2 accountant? 3 A. A lot of different things. I 4 did some audit, tax, internal audit. 5 Q. And when you say you did audit, 6 what does that mean? 7 A. We would audit financial 8 statements. In internal audits, we would 9 audit internal controls. 10 Q. And for somebody who's not an 11 accountant, how would you explain that? 12 A. What an auditor does? 13 Q. Yes. 14 A. I don't know. We would go 15 through different financial statements 16 and perform -- you know, do what the 17 program, the audit program was asking us 18 to check. 19 Q. What were you looking for? 20 A. It's been so long and I have not 21 done those type of audits, so I really 22 couldn't -- 23 Q. Who trained you to do that job?</p> | <p style="text-align: right;">Page 24</p> <p>1 We did a lot of car dealerships, so we 2 would need access to their documents if 3 they were paperless. 4 Q. Did you have to sell accounting 5 services to anybody? 6 A. (Witness shakes head.) 7 THE COURT REPORTER: No? 8 THE WITNESS: No. 9 THE COURT REPORTER: Thank you. 10 Q. Did you enjoy that job? 11 A. I did. 12 Q. Why did you leave it? 13 A. I didn't want to pursue the CPA 14 role. 15 Q. Why is that? 16 A. Because there was a lot of 17 opportunity at the time in compliance and 18 internal audit. 19 Q. And what do you mean by 20 opportunity in compliance and audit? 21 A. Sarbanes-Oxley was passed in 22 2002, so a lot of new programs were being 23 developed.</p> |
| <p style="text-align: right;">Page 23</p> <p>1 A. My managers there were Laura 2 Ray. I can't remember the other lady's 3 name. Scott Berte was a partner. Tim 4 York was a partner. 5 Q. How long was your training? 6 A. I did my internship with them 7 from January through the middle of March, 8 and that was a lot of training. 9 Q. When you were a staff 10 accountant, did you work independently? 11 A. Some. 12 Q. Did you have to analyze 13 information and data? 14 A. I was learning about that. 15 Q. Okay. So, would you describe 16 your job as more of just the -- you just 17 used a program and it was a data 18 entry-type position, more so? 19 A. Yeah. I also had to do client 20 visits and communicate with the clients. 21 Q. And what would -- what would you 22 do on a client visit? 23 A. We would do the audits on site.</p> | <p style="text-align: right;">Page 25</p> <p>1 Q. Was it just something about the 2 auditing work that attracted you, or was 3 it financially more lucrative? 4 A. It was more -- the internal 5 audit was more about policies and 6 procedures and not financial audits. 7 Q. So less number-crunching? 8 A. Uh-huh. 9 Q. Is that a yes? 10 A. Yes. 11 Q. And that's what appealed to you 12 about it? 13 A. I enjoyed that. 14 Q. Who was your supervisor at Dixon 15 Hughes? 16 A. I can't remember who was my 17 direct supervisor or if the partners were 18 the supervisors. 19 Q. Do you remember who you reported 20 to or who gave you assignments? 21 A. Laura Ray did. 22 Q. Anybody else other than Ms. Ray? 23 A. Yeah. I cannot remember her</p> |

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| <p style="text-align: right;">Page 26</p> <p>1 name. She was another manager there.</p> <p>2 Q. How did your employment there</p> <p>3 end?</p> <p>4 A. I resigned.</p> <p>5 Q. Why?</p> <p>6 A. To go work at CRC.</p> <p>7 Q. Were you asked to leave?</p> <p>8 A. No.</p> <p>9 Q. Did you ever receive any bad</p> <p>10 performance evaluations?</p> <p>11 A. No.</p> <p>12 Q. Any disciplinary actions when</p> <p>13 you were there?</p> <p>14 A. No. I was told I could come</p> <p>15 back.</p> <p>16 Q. Did you feel like you were</p> <p>17 treated fairly there?</p> <p>18 A. Yeah.</p> <p>19 Q. And did you think that women</p> <p>20 were treated fairly there?</p> <p>21 A. I do.</p> <p>22 Q. How did you come to work at CRC?</p> <p>23 A. I was familiar with the company</p> | <p style="text-align: right;">Page 28</p> <p>1 McClendons? How did you come to know</p> <p>2 them?</p> <p>3 A. We lived down the street from</p> <p>4 them when I was little.</p> <p>5 Q. Okay. So you were familiar with</p> <p>6 CRC. What about that prompted you to</p> <p>7 seek employment there?</p> <p>8 A. They were hiring an internal</p> <p>9 auditor.</p> <p>10 Q. How did you find that out?</p> <p>11 A. It was on their website, I</p> <p>12 think.</p> <p>13 Q. On the CRC website?</p> <p>14 A. Yeah. I think so.</p> <p>15 Q. What prompted you to go look at</p> <p>16 the website?</p> <p>17 A. I had kind of started looking</p> <p>18 around at different places because I had</p> <p>19 decided not to pursue the CPA.</p> <p>20 Q. Were you going to be required to</p> <p>21 get a CPA if you continued to work at</p> <p>22 Dixon Hughes?</p> <p>23 A. I think it was a requirement. I</p> |
| <p style="text-align: right;">Page 27</p> <p>1 and --</p> <p>2 Q. How so?</p> <p>3 A. My best friend growing up's dad</p> <p>4 worked there.</p> <p>5 Q. Who is that?</p> <p>6 A. Randy McClendon.</p> <p>7 Q. And who was his dad?</p> <p>8 A. Well, Kimberly was my friend.</p> <p>9 Randy.</p> <p>10 Q. Oh, I'm sorry. Oh, Kimberly</p> <p>11 McClendon was your friend?</p> <p>12 A. Uh-huh.</p> <p>13 Q. Is that a yes?</p> <p>14 A. Yes.</p> <p>15 Q. And her father was Randy</p> <p>16 McClendon?</p> <p>17 A. Yes.</p> <p>18 Q. And what was Mr. McClendon's</p> <p>19 role at CRC?</p> <p>20 A. He was a senior broker.</p> <p>21 Q. In which department?</p> <p>22 A. Casualty.</p> <p>23 Q. And how did you know the</p> | <p style="text-align: right;">Page 29</p> <p>1 can't remember.</p> <p>2 Q. Where else did you look at</p> <p>3 working other than CRC?</p> <p>4 A. Nowhere, I don't think.</p> <p>5 Q. How did you apply for that job</p> <p>6 or indic- -- or let CRC know that you</p> <p>7 were interested?</p> <p>8 A. I called Randy and told him that</p> <p>9 I saw the job posting and asked him if he</p> <p>10 could give me a name to send my resumé</p> <p>11 to.</p> <p>12 Q. Did he do that?</p> <p>13 A. Yes.</p> <p>14 Q. Who was that person?</p> <p>15 A. Melody Banks.</p> <p>16 Q. What was Ms. Banks' role?</p> <p>17 A. She was, I believe, the director</p> <p>18 of the human resources department. I'm</p> <p>19 not positive about her exact title.</p> <p>20 Q. What was the next thing that</p> <p>21 happened after you sent your resumé?</p> <p>22 A. I think that Jack called me. He</p> <p>23 was the audit manager.</p> |

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| <p style="text-align: right;">Page 30</p> <p>1 Q. And what is -- what is Jack's 2 last name? 3 A. Elliott. 4 Q. And his role was what? 5 A. He was the director of the audit 6 department. He started it. He was the 7 first hire. 8 MS. PALMER: Raise your mic up. 9 THE WITNESS: Sorry. 10 Q. Okay. And after Mr. Elliott 11 called you, what's the next thing that 12 happened? 13 A. It might not have been in this 14 order, but I had an interview with the 15 CFO. 16 Q. Who was at the time? 17 A. Kristi Jeffers, and Melody, I 18 believe, came to that. And then I 19 interviewed with Charlie Wood, the COO, 20 and -- I forget what her title was and I 21 forget her name at the moment. 22 Q. Okay. 23 A. She ended up taking Kristi</p> | <p style="text-align: right;">Page 32</p> <p>1 them later, let me know. 2 A. Okay. 3 Q. How did you know Tom Curtin? 4 A. Through the McClendons. 5 Q. What had been your interaction 6 up -- with him up to that point before 7 you started working at CRC? 8 A. Family events. We all had lake 9 houses close to each other. 10 Q. Where was -- what lake was that? 11 A. Lake Martin. 12 Q. Okay. I mean, were you on a 13 first name basis with him? 14 A. Mr. Curtin? 15 Q. Yes. 16 A. I called him Mr. Curtin. 17 Q. Okay. But did he know -- I 18 mean, did he know you? 19 A. Yes. Yes. 20 Q. Did he have children your age or 21 around your age? 22 A. Will. 23 Q. Did Will work at CRC?</p> |
| <p style="text-align: right;">Page 31</p> <p>1 Jeffers' spot, though, when Kristi left. 2 Q. Okay. So she became -- whoever 3 this person was became the CFO at some 4 point? 5 A. Uh-huh. 6 Q. Is that a yes? 7 A. Yes. 8 Q. Other than Mr. McClendon, did 9 you know anybody else who worked at CRC 10 at the time that you interviewed for the 11 job? 12 A. Yes. 13 Q. Who was that? 14 A. I knew Tom Curtin, the founder, 15 the CEO. I knew Ron Helveston. I 16 knew -- there are several people from 17 Vestavia where I went to high school. 18 Joe LaRocca. 19 Q. Is that L-A-R-O-C-C-A? 20 A. Uh-huh. I'm trying to think who 21 else I knew. I can't recall anybody at 22 the moment. 23 Q. That's fine. If you think of</p> | <p style="text-align: right;">Page 33</p> <p>1 A. I don't think he ever worked 2 there. He could have at some point but 3 not while -- 4 Q. How did you know Mr. Helveston? 5 A. Through the McClendons. 6 Q. Was he also one of -- have a -- 7 did he also have a lake house on Lake 8 Martin near you all? 9 A. He did. But I didn't -- I don't 10 think we hung out with them at the lake, 11 not that I can remember, really. 12 Q. And your interaction with Mr. 13 Helveston prior to coming to CRC was -- 14 what was the nature of that? 15 A. Family friends. 16 Q. Just at social gatherings with 17 other people? 18 A. Yeah. Mainly, my parents were 19 good friends with him. 20 Q. And your parents were good 21 friends with Mr. Helveston? 22 A. With the Helvestons. 23 Q. How did they become friends?</p> |

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| <p style="text-align: right;">Page 34</p> <p>1 A. Through the McClendons.</p> <p>2 Q. What was Mr. Helveston's title</p> <p>3 at the time that you were working -- you</p> <p>4 started working for CRC?</p> <p>5 A. Oh. There were changes that</p> <p>6 were happening. He became president. I</p> <p>7 think he was co-president for a minute.</p> <p>8 But president.</p> <p>9 Q. Well, at the time you had -- you</p> <p>10 came to CRC, was he in some sort of</p> <p>11 executive type role?</p> <p>12 A. Yes. I believe so. He was</p> <p>13 still a broker too. I believe he was</p> <p>14 doing executive.</p> <p>15 Q. What about Mr. LaRocca?</p> <p>16 A. I just knew of him.</p> <p>17 Q. Okay. What was his job?</p> <p>18 A. He was a casualty broker, and he</p> <p>19 worked under Randy. His -- I graduated</p> <p>20 with his little sister.</p> <p>21 Q. Did you talk with any of these</p> <p>22 folks about what their experience was</p> <p>23 like working at CRC before you went to</p> | <p style="text-align: right;">Page 36</p> <p>1 A. No. They weren't involved at</p> <p>2 all.</p> <p>3 Q. Well, did you tell them, "Hey,</p> <p>4 by the way, I'm going to go work for</p> <p>5 this" --</p> <p>6 A. After I was hired.</p> <p>7 Q. So it's your testimony that you</p> <p>8 didn't tell your boyfriend at the time</p> <p>9 that you were going to go work at CRC?</p> <p>10 A. He wasn't my boyfriend at the</p> <p>11 time.</p> <p>12 Q. I'm sorry, I thought you said he</p> <p>13 was in 2006.</p> <p>14 A. Correct. I started working at</p> <p>15 CRC, and my mom mentioned to Ms.</p> <p>16 Helveston that I was headed to Denver on</p> <p>17 an audit. And she said that Blake was</p> <p>18 living out there and I should give him a</p> <p>19 call, and I did.</p> <p>20 Q. Did you reach out to Mr.</p> <p>21 McClendon and tell him that you were</p> <p>22 applying to CRC?</p> <p>23 A. Yeah. He gave me Melody's</p> |
| <p style="text-align: right;">Page 35</p> <p>1 work there?</p> <p>2 A. No.</p> <p>3 Q. Did you date Mr. Helveston's son</p> <p>4 at some point?</p> <p>5 A. I did.</p> <p>6 Q. What was his name?</p> <p>7 A. Blake.</p> <p>8 Q. What was the time frame of that</p> <p>9 relationship?</p> <p>10 A. We actually dated when we were</p> <p>11 kids.</p> <p>12 Q. High school?</p> <p>13 A. I think middle school.</p> <p>14 Q. Or younger than that?</p> <p>15 A. Middle school maybe.</p> <p>16 Q. Okay.</p> <p>17 A. And then again 2006 through</p> <p>18 2008-ish, I believe.</p> <p>19 Q. So right around the time you</p> <p>20 started working at CRC?</p> <p>21 A. Right.</p> <p>22 Q. Did Mr. -- either Ron or Blake</p> <p>23 Helveston encourage you to apply at CRC?</p> | <p style="text-align: right;">Page 37</p> <p>1 contact to send my resumé.</p> <p>2 Q. Do you know if your parents</p> <p>3 spoke to the Helvestons about the fact</p> <p>4 that you had applied to work at CRC?</p> <p>5 A. I don't believe they did because</p> <p>6 I remember Ms. Helveston making the</p> <p>7 comment that she was surprised that I</p> <p>8 hadn't let her know that I was</p> <p>9 interviewing.</p> <p>10 Q. When did she make that comment?</p> <p>11 A. At some point after I was hired.</p> <p>12 Q. All right. So tell me about</p> <p>13 your job in the audit department. What</p> <p>14 did you do?</p> <p>15 A. I worked in there for seven and</p> <p>16 a half, close to eight years. We would</p> <p>17 perform audits, annual audits of the</p> <p>18 production teams, their files, the AIM</p> <p>19 system. We audited accounting, taxes,</p> <p>20 licensing, SecureDesk.</p> <p>21 Q. When you say you did the audits</p> <p>22 for the production team, what does that</p> <p>23 -- what does that mean?</p> |

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| <p style="text-align: right;">Page 38</p> <p>1 A. We would check that the required</p> <p>2 documents were in their policy file and</p> <p>3 that they had followed the procedures</p> <p>4 that -- corporate procedures.</p> <p>5 Q. And who was the production team?</p> <p>6 A. What do you mean? We audited</p> <p>7 all of the production teams.</p> <p>8 Q. Yeah. What is a production</p> <p>9 team, though, for -- for CRC?</p> <p>10 A. A broker team.</p> <p>11 Q. And can you explain the concept</p> <p>12 of a broker team?</p> <p>13 A. The concept?</p> <p>14 Q. Yeah. What --</p> <p>15 A. The structure?</p> <p>16 Q. The structure.</p> <p>17 A. There's a senior broker who</p> <p>18 would be the coded broker in the system.</p> <p>19 And the teams varied based on the size of</p> <p>20 the book of business.</p> <p>21 Q. And when you say they were a</p> <p>22 "coded broker," what does that mean?</p> <p>23 A. They had a code that recorded</p> | <p style="text-align: right;">Page 40</p> <p>1 A. I believe that some they could</p> <p>2 fee and not commission.</p> <p>3 Q. Okay. What's the difference</p> <p>4 between a fee and a commission?</p> <p>5 A. One is a percentage of the</p> <p>6 premium, and the other is a set amount.</p> <p>7 Q. All right. So for each policy</p> <p>8 that CRC sells, there -- that would</p> <p>9 result in either a commission or a fee or</p> <p>10 sometimes both. Is that right?</p> <p>11 A. I think so.</p> <p>12 Q. Okay. And that commission</p> <p>13 gets -- and/or fee gets recorded in AIM.</p> <p>14 Is that right?</p> <p>15 A. Uh-huh.</p> <p>16 Q. Is that a yes?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And then that is tied --</p> <p>19 is it your testimony that then that --</p> <p>20 that fee or commission is tied to a coded</p> <p>21 broker in AIM?</p> <p>22 A. What do you mean "tied to"?</p> <p>23 Q. Well, I was asking you about</p> |
| <p style="text-align: right;">Page 39</p> <p>1 their revenue in the system under their</p> <p>2 name.</p> <p>3 Q. That was a CRC code?</p> <p>4 A. It was in AIM, yeah, the -- the</p> <p>5 agency management system.</p> <p>6 Q. And when you say it recorded</p> <p>7 their revenue, what do you mean by that?</p> <p>8 A. The accounting. This is --</p> <p>9 that's where you put in the premium, the</p> <p>10 commission, which then was captured in</p> <p>11 the system --</p> <p>12 Q. Okay. So --</p> <p>13 A. -- under their revenue.</p> <p>14 Q. I'm sorry. So, is the revenue</p> <p>15 the commission?</p> <p>16 A. And fees.</p> <p>17 Q. Okay. And what is the</p> <p>18 commission from?</p> <p>19 A. Each policy.</p> <p>20 Q. So each policy that CRC sells</p> <p>21 results in a commission?</p> <p>22 A. There could be a case where --</p> <p>23 Q. -- it does not?</p> | <p style="text-align: right;">Page 41</p> <p>1 what a coded broker meant, and you said</p> <p>2 that it was the broker had a code that</p> <p>3 recorded revenue in AIM. And so then I</p> <p>4 asked you what the revenue was, and we</p> <p>5 got to commissions. So I'm trying to get</p> <p>6 an understanding from you about how that</p> <p>7 revenue relates back to the broker code.</p> <p>8 A. How the revenue relates back to</p> <p>9 the broker code?</p> <p>10 Q. Yes.</p> <p>11 A. I'm not sure I understand.</p> <p>12 Q. Okay. Well, maybe you can</p> <p>13 explain it to me this way. If a broker</p> <p>14 has a code that records revenue in AIM,</p> <p>15 what does that mean?</p> <p>16 A. There's -- the senior broker is</p> <p>17 the coded broker, so that's who is the</p> <p>18 team name. I was on Team Daugherty.</p> <p>19 Q. So for -- for Team Daugherty, he</p> <p>20 would have been the coded broker for that</p> <p>21 team?</p> <p>22 A. For that, yes. There was a spot</p> <p>23 for -- called marketing rep where --</p> |

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| <p style="text-align: right;">Page 42</p> <p>1 whoever marketed the business.</p> <p>2 Q. And when you say "there was a</p> <p>3 spot," you mean a spot in AIM?</p> <p>4 A. Yeah.</p> <p>5 Q. So it would be accurate to say</p> <p>6 there was a spot in AIM for revenue and a</p> <p>7 spot in AIM for marketing representative?</p> <p>8 A. Uh-huh.</p> <p>9 Q. Is that a yes?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And --</p> <p>12 A. And also a CISR, I believe is</p> <p>13 what it's called in the system, and the</p> <p>14 account executive or broker assistant</p> <p>15 would be logged.</p> <p>16 Q. Okay. Okay. Was there anybody</p> <p>17 other than a broker who would be recorded</p> <p>18 in AIM under that revenue tab or column?</p> <p>19 A. So you coded them by the</p> <p>20 submissions.</p> <p>21 Q. Okay.</p> <p>22 A. So by the policies.</p> <p>23 Q. Okay.</p> | <p style="text-align: right;">Page 44</p> <p>1 CISR ID log once I was promoted --</p> <p>2 Q. Okay.</p> <p>3 A. -- to inside broker.</p> <p>4 Q. Okay.</p> <p>5 THE COURT REPORTER: To inside?</p> <p>6 THE WITNESS: Broker.</p> <p>7 THE COURT REPORTER: Thank you.</p> <p>8 Q. So after you became an inside</p> <p>9 broker, you had a marketing rep ID and a</p> <p>10 CI- -- CISR ID?</p> <p>11 A. Yeah. I always had the CISR ID.</p> <p>12 That's where the account executive is</p> <p>13 listed.</p> <p>14 Q. What's the significance of</p> <p>15 having a marketing rep ID?</p> <p>16 A. It also captures revenue.</p> <p>17 Q. What do you -- what would you</p> <p>18 need -- what was your understanding of</p> <p>19 what you needed to do to have a broker</p> <p>20 code that would record the revenue?</p> <p>21 A. There were premi- -- minimum --</p> <p>22 minimum revenue requirements.</p> <p>23 Q. And what were those?</p> |
| <p style="text-align: right;">Page 43</p> <p>1 A. So each policy would have a</p> <p>2 broker, a marketing rep, and a CISR</p> <p>3 account executive that you would list --</p> <p>4 log in the system when you set up the</p> <p>5 commission or the -- or the submission of</p> <p>6 the renewal.</p> <p>7 Q. Okay. So for each policy, there</p> <p>8 would be -- that's entered into AIM,</p> <p>9 there's going to be a spot for a broker?</p> <p>10 Is that right?</p> <p>11 A. The -- yeah. The team name, the</p> <p>12 lead broker.</p> <p>13 Q. The lead broker. And then</p> <p>14 there's a spot for the customer service</p> <p>15 representative?</p> <p>16 A. Uh-huh.</p> <p>17 Q. Is that a yes?</p> <p>18 A. Yes. Sorry.</p> <p>19 Q. And then you also said a</p> <p>20 marketing representative?</p> <p>21 A. Yes.</p> <p>22 Q. Did you have a broker code?</p> <p>23 A. I had a marketing rep ID and</p> | <p style="text-align: right;">Page 45</p> <p>1 A. I don't know.</p> <p>2 Q. Do you know if it was like over</p> <p>3 100,000 or 200,000 or 300,000?</p> <p>4 A. I would -- if I had to guess, I</p> <p>5 would say a lead broker would need to be</p> <p>6 750 to a million.</p> <p>7 Q. To have a lead broker code,</p> <p>8 you'd would need to have 750 to a million</p> <p>9 dollars in revenue?</p> <p>10 A. And be --</p> <p>11 Q. Is that right?</p> <p>12 A. I don't know. That's --</p> <p>13 Q. That's what you think?</p> <p>14 A. That's what I would guess.</p> <p>15 Q. Okay. That's what you would</p> <p>16 guess?</p> <p>17 A. Yeah.</p> <p>18 Q. All right.</p> <p>19 A. And you would have to be</p> <p>20 promoted into the role through management</p> <p>21 or hired into it.</p> <p>22 Q. And just so that our terminology</p> <p>23 is clear on the record, Ms. Hendrix, is a</p> |

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| <p style="text-align: right;">Page 46</p> <p>1 lead broker or a senior broker the same 2 thing, or are those two different things? 3 A. It could -- it could be two 4 different things just because of how some 5 teams are set up, but it usually is the 6 senior broker. Some teams are -- some 7 are teams, and so it would have an actual 8 team name. 9 Q. Were there brokers who had 10 revenue codes for the AIM system that 11 were not lead brokers? 12 A. No. Well, there were no senior 13 brokers. Is that -- 14 Q. No. I'm just asking -- you said 15 that the -- I think we -- I was asking 16 what you would need to do to get a code, 17 and you said, well, to be a lead broker, 18 you'd need 750,000 to -- you thought that 19 you would need 750,000 to a million 20 dollars in revenue. But you said lead 21 broker, so I was just wondering if there 22 was another threshold -- 23 A. I don't know.</p> | <p style="text-align: right;">Page 48</p> <p>1 Q. Is that right? Is that 2 accurate? 3 A. Yes. 4 Q. And what kind of things were you 5 looking for? 6 A. In AIM or in the policy file? 7 It could be different. 8 Q. Okay. Explain that to me. 9 A. Some offices have paper files. 10 Actually, Birmingham professional was the 11 only one that was allowed to keep 12 everything in AIM and use it as a 13 paperless file. So we would -- it was 14 the same stuff, so I would just audit the 15 policy file from where it should have 16 started to where it's ending, which 17 starts with usually the application. We 18 would check the quote. We would make 19 sure there was a request to bind from the 20 agent, a request to bind to the carrier, 21 a binder -- 22 Q. And in lay terms, you know, if a 23 judge ends up reading this transcript who</p> |
| <p style="text-align: right;">Page 47</p> <p>1 Q. -- for an associate broker, for 2 example, to have a code. 3 A. I do know at one time there -- 4 oh, not to have a code. I don't think 5 that there was a requirement, not that I 6 was aware of. 7 Q. Okay. All right. So we were 8 talking about the -- your job as -- in 9 the audit department, and you said you 10 would audit the AIM system. So, what 11 were you auditing in that system? 12 A. Each of the policy files. 13 Q. Anything else? 14 A. In AIM? 15 Q. Yes. 16 A. I mean, I don't think there 17 would be anything else. 18 Q. Okay. And you say the policy 19 file would be -- or whatever policies 20 that CRC sold, you were making sure that 21 the appropriate information was in the 22 system for that policy? 23 A. Uh-huh.</p> | <p style="text-align: right;">Page 49</p> <p>1 has no knowledge about the insurance 2 industry, what is a request to bind? 3 A. It is an order for the business. 4 Q. It's a request from the client 5 to say, "Yes, we want this policy"? 6 A. Correct. 7 Q. Okay. 8 A. And then we also would have to 9 send one to the carrier. 10 Q. The insurance carrier who was 11 going to insure that particular client? 12 A. Correct. And then they would 13 send the binder. 14 Q. And what is a binder? 15 A. It lists the limits, effective 16 date, terms and conditions of what's 17 going to -- what the policy -- what's in 18 the policy. 19 Q. What do you do with the binder? 20 A. What do you mean, what do you do 21 with it? 22 Q. Well, I mean, what would -- what 23 would somebody on a broker chain do with</p> |

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| <p style="text-align: right;">Page 50</p> <p>1 a binder who were looking to see if it 2 was there? I mean, what is the -- is it 3 something that gets uploaded? Is it 4 something that gets put in a file? Is it 5 something that has to be typed up or 6 prepared? 7 A. It could be several ways. We 8 would look for the binder from the 9 carrier, and then teams would have an 10 option to either put a cover letter on 11 that binder and send it to the in- -- to 12 the agent or retype the binder in the AIM 13 system and send it to the agent. 14 Q. With respect to an -- the 15 request to bind, what has to happen on 16 the broker's side with that? 17 A. The request to bind from the 18 agent or to the carrier? 19 Q. Both. 20 A. You would have to have the 21 request to bind before you could bind the 22 policy in AIM, which is where you 23 invoiced it.</p> | <p style="text-align: right;">Page 52</p> <p>1 file and then -- can you repeat the 2 question? 3 Q. Yeah. I was asking from a nuts 4 and bolts perspective what -- what the 5 broker team does if -- with a request to 6 bind. Like, what do they have to do with 7 it? 8 A. Put it in the file. 9 Q. Just put it in the file? 10 A. Yeah. 11 Q. And for Birmingham, you said 12 they did all electronic files? 13 A. Birmingham professional. 14 Q. Birmingham professional? 15 A. Uh-huh. 16 Q. So that would -- would that mean 17 uploading it to AIM? 18 A. Uh-huh. 19 Q. Is that a yes? 20 A. Yes. Sorry. We switched to 21 ImageRight while I was there, and so we 22 stopped keeping it in AIM and would print 23 it to ImageRight, which was a paperless</p> |
| <p style="text-align: right;">Page 51</p> <p>1 Q. Okay. But from just a nuts and 2 bolts perspective, if you're on a broker 3 team and the call that comes in from the 4 client says, "Yes, we want this policy," 5 they're making the order, then what 6 happens? 7 A. If they -- a verbal request to 8 bind? 9 Q. Well, if it's different, then we 10 can talk about it. Let's start with 11 verbal. 12 A. Yeah. You had to have written 13 confirmation within 24 hours to bind. 14 Q. Could that be done by e-mail? 15 A. It could. 16 Q. If you got the request in an 17 e-mail, then what would you do, or some 18 other form in writing? 19 A. You would put it in the file. I 20 guess you're asking me as -- what the 21 broker team does. 22 Q. Yes. 23 A. Okay. You would put it in the</p> | <p style="text-align: right;">Page 53</p> <p>1 system. 2 Q. You mentioned that part of the 3 -- going back to the auditing, something 4 about SecureDesk. What is that? 5 A. It was required by the bank, 6 BB&T. And we would check all the desks 7 to make sure no confidential information 8 was left out; any shred was not left at 9 the desk, it was taken to the shred box; 10 no passwords were kept out. Laptops had 11 to be locked to the desk. 12 Q. So when you were working in the 13 audit department, what was your official 14 title? 15 A. It changed -- 16 Q. Okay. 17 A. -- several times. 18 Q. Okay. What was your first one? 19 A. Internal auditor, I believe. 20 Q. And then what was the next 21 title? 22 A. Well, they went through a phase 23 where we had to change from auditor to</p> |

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| <p style="text-align: right;">Page 54</p> <p>1 reviewer as our title. So internal</p> <p>2 reviewer.</p> <p>3 Q. Did your job duties change at</p> <p>4 all?</p> <p>5 A. No. It was just the title</p> <p>6 because that's what BB&T had told us to</p> <p>7 do.</p> <p>8 Q. And then any other titles you</p> <p>9 had?</p> <p>10 A. Senior auditor.</p> <p>11 Q. When did you get senior auditor</p> <p>12 title?</p> <p>13 A. I would have to -- I would have</p> <p>14 to go look, but it was --</p> <p>15 Q. Just your best estimate that</p> <p>16 you --</p> <p>17 A. Okay. 2012-ish.</p> <p>18 Q. Was that a promotion?</p> <p>19 A. It was.</p> <p>20 Q. Did you supervise anybody as a</p> <p>21 senior auditor?</p> <p>22 A. No.</p> <p>23 Q. All right. What did you do on a</p> | <p style="text-align: right;">Page 56</p> <p>1 own.</p> <p>2 Q. Okay.</p> <p>3 MS. WILKINSON: Rachel, when you</p> <p>4 get a minute, can we take a break? I</p> <p>5 don't want to interrupt you.</p> <p>6 MS. BARLOTTA: We can take a</p> <p>7 break now. It's fine.</p> <p>8 THE VIDEOGRAPHER: We're going</p> <p>9 off the record at 10:02.</p> <p>10 (Break taken.)</p> <p>11 THE VIDEOGRAPHER: We're going</p> <p>12 back on the record at 10:10.</p> <p>13 Q. (By Ms. Barlotta) I'm showing</p> <p>14 you what I've marked as Defendant's</p> <p>15 Exhibit 1.</p> <p>16 MS. BARLOTTA: Oh, thank you.</p> <p>17 Q. As I understand, it's a</p> <p>18 performance evaluation that we produced</p> <p>19 in this case that you received in 2010.</p> <p>20 And if you would look with me at page --</p> <p>21 the second page of Defendant's Exhibit 1,</p> <p>22 is that your signature?</p> <p>23 (Defendant's Exhibit 1 was marked for</p> |
| <p style="text-align: right;">Page 55</p> <p>1 day-to-day basis, first as an internal</p> <p>2 auditor, or internal reviewer?</p> <p>3 A. It would be different every --</p> <p>4 most days and every week because we would</p> <p>5 travel to the locations. So some days</p> <p>6 I'd spend traveling, flying, getting a</p> <p>7 car, getting to the hotel. Some days --</p> <p>8 and then I'd set up in the office that I</p> <p>9 was at and pull the policy files that we</p> <p>10 were auditing and perform the audit.</p> <p>11 Q. Did you work independently?</p> <p>12 A. I did.</p> <p>13 Q. Did you feel like you did that</p> <p>14 job well?</p> <p>15 A. I do.</p> <p>16 Q. Did you feel like you had</p> <p>17 appropriate training to know how to do</p> <p>18 the job?</p> <p>19 A. Yeah. I was the second hire, so</p> <p>20 I worked with Jack to kind of figure out</p> <p>21 the program. But I want to say I</p> <p>22 traveled with Jack for about a year</p> <p>23 performing the audits before I went on my</p> | <p style="text-align: right;">Page 57</p> <p>1 identification and is attached.)</p> <p>2 A. Looks like it.</p> <p>3 Q. Okay. And if you'd look with me</p> <p>4 on page 4, is that also your signature?</p> <p>5 A. Looks like it.</p> <p>6 Q. And would it be correct that Mr.</p> <p>7 Jack Elliott was the one who did your</p> <p>8 performance evaluations in 2010?</p> <p>9 A. Uh-huh. Yes.</p> <p>10 Q. On page 6, there is management</p> <p>11 comments about strengths, your strengths</p> <p>12 and then your areas for improvement. And</p> <p>13 one of the things he listed was looking</p> <p>14 for leadership opportunities within the</p> <p>15 department. And do you recall what you</p> <p>16 discussed with him about looking for</p> <p>17 leadership opportunities?</p> <p>18 A. I guess it was about becoming a</p> <p>19 senior auditor, I believe.</p> <p>20 Q. In the summary, he states: "I</p> <p>21 would like 2010 to be the year that your</p> <p>22 leadership opportunities within the</p> <p>23 department are found. There are great</p> |

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| <p style="text-align: right;">Page 58</p> <p>1 opportunities to be found within the 2 audit department. The safe and easy path 3 will not be the best course in 2010. 4 Consider searching for ways to complete 5 the additional responsibilities you have 6 been given in a timely manner." 7 Did you -- other than becoming a 8 senior auditor, do you know what he was 9 talking about with respect to there -- 10 that there were great opportunities to be 11 found within the audit department? 12 A. I don't recall. 13 Q. Okay. Did you tell -- did you 14 tell Mr. Elliott that you wanted 15 leadership opportunities within the 16 department? 17 A. I could have. I was always 18 looking to advance in my career. 19 Q. You could have. You don't 20 recall whether you did or not? 21 A. I don't recall if I brought it 22 to him or he brought it to me. 23 Q. And did you feel like Mr.</p> | <p style="text-align: right;">Page 60</p> <p>1 bonus. What kind of bonuses did you 2 receive when you were in the audit 3 department? 4 A. If I can remember correct, they 5 ranged from maybe 1,000 to maybe 6,000. 6 They were biannual. 7 Q. Okay. And do you know what they 8 were based upon? 9 A. They were at my manager's 10 discretion, so. 11 Q. Okay. Was it tied -- were they 12 tied to any specific metrics or numbers 13 or goals or anything -- 14 A. Not in the audit -- 15 Q. -- that you recall? 16 A. -- department. We weren't a 17 production team. 18 Q. And when you worked in the audit 19 department, did you have to sell 20 anything? 21 A. No. 22 Q. Did you have to -- did you call 23 on clients?</p> |
| <p style="text-align: right;">Page 59</p> <p>1 Elliott was working to advance your 2 career? 3 A. He was. 4 Q. It says, "Obtaining your CIC 5 designation should be at the very top of 6 priorities." What is that? 7 A. It is Certified Insurance 8 Counselors certification. 9 Q. Did you obtain that? 10 A. I did. 11 Q. When did you obtain that? 12 A. I think maybe around 2012. 13 Q. What was involved in obtaining 14 that? 15 A. It was a five-part course in 16 three days, and you had to pass it -- all 17 five -- a test for all five parts to get 18 the certification. 19 Q. Did CRC pay for that -- 20 A. They did. 21 Q. -- certification? 22 The comments also represent -- 23 or excuse me, not represent, mention a</p> | <p style="text-align: right;">Page 61</p> <p>1 A. No. 2 Q. Did you make presentations of 3 any sort? 4 A. I did for the locations 5 regarding policies and procedures. 6 Q. Tell me about that. What did 7 you -- how often did you do that? 8 A. When CRC acquired Crump, we went 9 to all of their offices and went over 10 CRC's policies and procedures, kind of 11 introduced them to the audit process. 12 Q. So, was that a one-time thing? 13 A. Yes. And then we acquired Swett 14 in -- 15 Q. How do you spell Swett? 16 A. S-W-E-T-T, I think. 17 Q. Okay. And so you would go to 18 the Swett offices and explain to them 19 what the CRC policies were? 20 A. I believe we did it for Swett. 21 I remember doing it for Crump. 22 Q. Was that something you and Mr. 23 Elliott did together, or did you do it by</p> |

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| <p style="text-align: right;">Page 62</p> <p>1 yourself?</p> <p>2 A. I did some by myself, some</p> <p>3 together.</p> <p>4 Q. How many did you do by yourself?</p> <p>5 A. I cannot remember.</p> <p>6 Q. Let me show you what I've marked</p> <p>7 as Defendant's Exhibit 2. All right. So</p> <p>8 I'm showing you what's been marked as</p> <p>9 Defendant's Exhibit 2, which I will tell</p> <p>10 you has been produced by the defendants</p> <p>11 in this case from your personnel records.</p> <p>12 And the last document we looked at had a</p> <p>13 written signature on it. This evaluation</p> <p>14 appears to have an electronic signature.</p> <p>15 So, do you recall that you would receive</p> <p>16 evaluations and sign off on them</p> <p>17 electronically?</p> <p>18 (Defendant's Exhibit 2 was marked for</p> <p>19 identification and is attached.)</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And again I'd like to</p> <p>22 direct your attention to page 6, the</p> <p>23 management comments.</p> | <p style="text-align: right;">Page 64</p> <p>1 before that you thought that you</p> <p>2 completed that in 2012?</p> <p>3 A. This is from 2012? Yeah.</p> <p>4 Q. Well, it just says I will -- so</p> <p>5 the date you signed it was on --</p> <p>6 electronically signed, it was January</p> <p>7 4th, 2012.</p> <p>8 A. And you want to know if I got</p> <p>9 the CIC in 2012?</p> <p>10 Q. Right. Because he says in here</p> <p>11 that you were close to getting those.</p> <p>12 You were -- you hadn't finished them, but</p> <p>13 you were close to completing them. And I</p> <p>14 thought your testimony earlier was that</p> <p>15 you did that sometime in 2012?</p> <p>16 A. I believe it was 2012.</p> <p>17 Q. Do you know why it was that he</p> <p>18 wanted you to get that designation?</p> <p>19 A. He had always said so that I</p> <p>20 could have more opportunity at CRC.</p> <p>21 Q. Did you know what he meant by</p> <p>22 that when he said more opportunity?</p> <p>23 A. I don't know. No. Maybe on the</p> |
| <p style="text-align: right;">Page 63</p> <p>1 A. Comments.</p> <p>2 Q. You see that Mr. Elliott has</p> <p>3 listed your strengths as learning more</p> <p>4 about the insurance side and knowing</p> <p>5 computer systems and being comfortable</p> <p>6 using them. Would you agree that those</p> <p>7 were strengths that you had?</p> <p>8 A. Yeah.</p> <p>9 Q. Okay. And the areas for</p> <p>10 improvement, he asked -- or he noted for</p> <p>11 you to communicate more with your manager</p> <p>12 and begin to take leadership roles in the</p> <p>13 department. Do you see that?</p> <p>14 A. I do.</p> <p>15 Q. And do you recall Mr. Elliott</p> <p>16 encouraging you to take leadership roles</p> <p>17 in the department?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. In his summary, he says</p> <p>20 that he's seen great improvements in your</p> <p>21 audit but also in you and that you were</p> <p>22 close to finishing the CICs. And is that</p> <p>23 -- is that consistent with your testimony</p> | <p style="text-align: right;">Page 65</p> <p>1 sales side, production, if I wanted to</p> <p>2 make that leap.</p> <p>3 Q. Had you talked with him about</p> <p>4 making that change?</p> <p>5 A. That had always been something</p> <p>6 that I wanted to do down the line.</p> <p>7 Q. And when did that be- -- when</p> <p>8 did that become something that you wanted</p> <p>9 to do, like you wanted to get into</p> <p>10 selling insurance?</p> <p>11 A. Well, I wanted to get to the</p> <p>12 production side. Maybe after year two or</p> <p>13 three in audit.</p> <p>14 Q. And why -- why did that come</p> <p>15 about? What made you want to go to the</p> <p>16 production side after you had been in</p> <p>17 audit for two or three years?</p> <p>18 A. There was a lot of opportunity</p> <p>19 over there.</p> <p>20 Q. And what does that mean, "a lot</p> <p>21 of opportunity over there"?</p> <p>22 A. To make more money, I guess.</p> <p>23 Audit was not a production position.</p> |

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| <p style="text-align: right;">Page 66</p> <p>1 Q. Meaning audit did not produce 2 revenue. 3 A. Correct. 4 Q. Right? 5 And had you -- was that part of 6 -- was that any part of your audit 7 procedures, that you would look at 8 commissions and bonuses? 9 A. We never looked at bonuses. We 10 would check the commissions -- 11 Q. Okay. 12 A. -- on the policies. 13 Q. Did you have any idea what 14 people were making over in production in 15 terms of a salary or bonus? 16 A. No. 17 Q. Okay. You just had a -- you 18 just had this thought that you -- that 19 there would be more money, that you would 20 make more money on that side? 21 A. I mean, people that I knew that 22 worked on that side had a lot of money. 23 Q. Well, that's what I --</p> | <p style="text-align: right;">Page 68</p> <p>1 did you have any inkling of how much 2 money people were making on the 3 production side at the time you were 4 working in audit -- auditing? 5 A. No. Not that I can recall. 6 Q. I'm showing you what I've marked 7 as Defendant's Exhibit 3. Defendant's 8 Exhibit 3, I submit to you, is another 9 performance evaluation that was produced 10 by the defendants in this case from your 11 personnel records. And it's reflecting, 12 on page 2, an electronic signature of 13 March 1st, 2013. Do you see that? 14 (Defendant's Exhibit 3 was marked for 15 identification and is attached.) 16 A. I do. 17 Q. Okay. Do you have any reason to 18 dispute that you didn't electronically -- 19 that you electronically signed this? 20 A. No. I don't dispute it. 21 Q. Okay. I want to look at again 22 page 6 under the "Manager's Summary" 23 where it says: "We will reset duties in</p> |
| <p style="text-align: right;">Page 67</p> <p>1 A. Made a lot of money. 2 Q. I'm just trying to get at did 3 somebody say, "Hey, you know, you should 4 come over here because we make a lot of 5 money and this is my salary." I mean, 6 what -- that's what I'm trying to get at. 7 A. Oh, no. I had several people 8 come to me while I was an auditor and ask 9 if I had considered coming to the sales 10 side because I didn't have a personality 11 of an auditor. 12 Q. And what does that mean, you 13 didn't have the personality of an 14 auditor? 15 A. I was personable. 16 Q. Who were the people who asked 17 you? 18 A. I can't recall. 19 Q. Were they peop- -- where they 20 people in Birmingham or other offices? 21 A. I want to say other offices. It 22 could have happened in Birmingham. 23 Q. But back to the money question,</p> | <p style="text-align: right;">Page 69</p> <p>1 2014. I appreciate your long term work 2 in the department." 3 Do you know what was going to 4 change about your duties in 2014? 5 A. I think that it was starting to 6 do more of the reviews of the audit 7 reports that he was currently doing. 8 Q. Had you asked for a change of 9 duties? 10 A. I can't remember if I 11 specifically asked or if he encouraged. 12 Q. What about your duties do you 13 think you might have encouraged him or 14 asked him to change? 15 A. I -- I don't know. I can't 16 recall. 17 Q. Okay. So you had mentioned, I 18 believe -- and if I'm wrong, you can 19 correct me, but that you had wanted to 20 make a move to the production side 21 because you thought you could make more 22 money. Is that right? 23 A. Yeah.</p> |

18 (Pages 66 - 69)

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| <p style="text-align: right;">Page 70</p> <p>1 Q. Any other reasons?</p> <p>2 A. It seemed like a fun culture to</p> <p>3 work in. It's very different from the</p> <p>4 audit.</p> <p>5 Q. Okay. And what about it seemed</p> <p>6 fun?</p> <p>7 A. The -- I guess it was more of</p> <p>8 what wasn't fun in audit than what was</p> <p>9 fun in the -- on the brokerage side.</p> <p>10 Q. Well, you can describe that.</p> <p>11 What was not fun about audit?</p> <p>12 A. Oh, we had to remain</p> <p>13 independent, so there was a while where</p> <p>14 we had a rule we weren't allowed to eat</p> <p>15 with people, couldn't give the impression</p> <p>16 that we were favorable towards teams. So</p> <p>17 I wasn't really able to get to know the</p> <p>18 people as much.</p> <p>19 Q. Anything else you didn't like</p> <p>20 about the audit side?</p> <p>21 A. Jack could be difficult to work</p> <p>22 for.</p> <p>23 Q. How so?</p> | <p style="text-align: right;">Page 72</p> <p>1 lived at the time?</p> <p>2 A. A mile maybe.</p> <p>3 Q. I'm showing you what I've marked</p> <p>4 as Defendant's Exhibit 4. These are</p> <p>5 records that your attorney produced to us</p> <p>6 in this case.</p> <p>7 (Defendant's Exhibit 4 was marked for</p> <p>8 identification and placed under seal.)</p> <p>9 MS. PALMER: Rachel, I just want</p> <p>10 to note for the record -- I know you came</p> <p>11 into this case a little bit late -- we</p> <p>12 have a protective order about any mention</p> <p>13 of this information or these exhibits</p> <p>14 requiring a filing under seal.</p> <p>15 MS. BARLOTTA: Okay. So we can</p> <p>16 place -- are you asking to place this</p> <p>17 part of her deposition under seal?</p> <p>18 MS. PALMER: Yes.</p> <p>19 MS. BARLOTTA: Okay.</p> <p>20 (NOTE: Pages 73 through 77 were placed</p> <p>21 under seal.)</p> <p>22 *</p> <p>23 *</p> |
| <p style="text-align: right;">Page 71</p> <p>1 A. He managed by what mood he was</p> <p>2 in, it seemed.</p> <p>3 Q. What does that mean?</p> <p>4 A. There were times he would I</p> <p>5 guess lash out and to -- what I mean is</p> <p>6 just send an e-mail.</p> <p>7 Q. Send an e-mail like that was</p> <p>8 critical?</p> <p>9 A. Right. And he would do it to</p> <p>10 the whole department. And he also -- it</p> <p>11 was a remote job. I worked from home.</p> <p>12 And he had decided that he wanted it to</p> <p>13 be an in-office job when we were in town.</p> <p>14 And so that was a big change for me and</p> <p>15 the rest of -- some people were then</p> <p>16 required to drive two hours to offices.</p> <p>17 And I didn't have a place to sit either.</p> <p>18 He just would find me an empty cube for</p> <p>19 the day.</p> <p>20 Q. And what office were you driving</p> <p>21 in to?</p> <p>22 A. Birmingham.</p> <p>23 Q. How far was that from where you</p> | <p style="text-align: right;">Page 78</p> <p>1 Q. (By Ms. Barlotta) Okay. So, how</p> <p>2 did that come about? Like, how did you</p> <p>3 come to work on the production side in</p> <p>4 the professional liability department in</p> <p>5 CRC's Birmingham office?</p> <p>6 A. I had actually been on an audit</p> <p>7 in Houston and had talked to Brent</p> <p>8 Tredway, who was the president of that</p> <p>9 location, about coming to the production</p> <p>10 side and wanted his opinion, if he</p> <p>11 thought that it would be a good move for</p> <p>12 me. He said it was. So I was talking --</p> <p>13 but he said that I would need to talk to</p> <p>14 Jack before he could consider anything.</p> <p>15 And when I went to Jack, Corey apparently</p> <p>16 had come to him about me coming on his</p> <p>17 team because he was needing somebody.</p> <p>18 Q. Had you known Corey -- I mean,</p> <p>19 when you say Corey, you mean Corey</p> <p>20 Daugherty?</p> <p>21 A. Yeah, Corey.</p> <p>22 Q. Had you met him before?</p> <p>23 A. I had met him. I didn't know</p> |

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| <p style="text-align: right;">Page 79</p> <p>1 him. I believe I had met him. I was 2 making it a point to introduce myself to 3 the brokers once I had decided that I 4 wanted to go to the production side. 5 Q. And you said you thought that 6 Mr. Daugherty had come to Mr. Elliott and 7 asked about you moving over to the 8 production side? 9 A. Uh-huh. 10 Q. Is that right? 11 A. I believe that's what happened. 12 Q. So, did you, at any point when 13 you were working at audit, go to any 14 brokers in the Birmingham CRC office and 15 say, "Hey, I want to come work over here 16 for you guys"? 17 A. No. 18 Q. So, how did you learn about that 19 Mr. -- and I'm sorry, I think you might 20 have said this. But did you say that Mr. 21 Elliott came to you and told you that Mr. 22 Daugherty was interested in hiring you? 23 A. I actually went to him to talk</p> | <p style="text-align: right;">Page 81</p> <p>1 A. I can't remember exactly. I 2 know in the next couple of weeks, Corey 3 called or e-mailed. I went down and sat 4 in his office and talked to him. I was 5 also talking to Brent Tredway, discussing 6 the opportunities that were available at 7 each place. 8 Q. And Brent Tredway was in Texas? 9 A. Uh-huh. Houston. 10 Q. Houston? Did you get an offer 11 to come work in the Houston office? 12 A. Not an official or written 13 offer, but he did want me to come on a 14 team there, if I remember right. 15 Q. Okay. And so, did -- so, did 16 you have two offers, one from Birmingham 17 and one from Houston? 18 A. Uh-huh. 19 Q. Is that a yes? 20 A. Yes. I believe. That's how I 21 viewed it. 22 Q. Okay. Did you submit an 23 application or resumé of any sort to work</p> |
| <p style="text-align: right;">Page 80</p> <p>1 to him about possibly working in Houston 2 on a production team. 3 Q. Okay. 4 A. And I said, "I want to get your 5 thoughts on me moving over to 6 production." And he said, "Did somebody 7 talk to you?" Because apparently, Corey 8 had just talked to him, but I didn't know 9 about that at the moment. 10 Q. Well, is that what he said, that 11 Corey had come -- Mr. Daugherty had come 12 to him? 13 A. He said somebody had come to 14 him. I'm not sure if he told me who it 15 was at that time. 16 Q. Okay. And then what else 17 happened in that conversation? 18 A. I mean, I believe he said that 19 he thought I was ready and would make a 20 good fit and would support the move. 21 Q. Okay. So, what did you do? 22 What was the next thing you did after 23 that discussion?</p> | <p style="text-align: right;">Page 82</p> <p>1 in the Birmingham office or the Houston 2 office? 3 A. I don't believe so. 4 Q. It was all just verbal 5 discussions? 6 A. I think so. 7 Q. Was there ever an interview with 8 either the Houston office or the 9 Birmingham office? 10 A. Informal, maybe, a discussion at 11 the office. And then on the phone with 12 Brent. 13 Q. Okay. Who was part of the 14 informal discussion? 15 A. I believe it was just me and 16 Brent and just me and Corey. 17 Q. Did you have any understanding 18 of what position you were being 19 considered for? 20 A. Yes. 21 Q. What was that? 22 A. Both were account executive 23 positions at the time. I made it pretty</p> |

20 (Pages 79 - 82)

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| <p style="text-align: right;">Page 83</p> <p>1 clear, though, that I was looking to move 2 into a brokerage role and looking to be 3 trained by a broker. 4 Q. How did you make that clear? 5 A. I remember Corey said -- was 6 talking about his team, and he said, 7 "Andrea's been here 20 years, Yvette's 8 been here 25 years." And I remember 9 saying that that was awesome, but I 10 wasn't looking for somewhere that I was 11 going to be sitting in the same seat 20 12 years from now. I was looking to learn 13 and to grow. 14 Q. And is that the same thing that 15 you -- discussion -- did you have that 16 same discussion with Mr. Tredway in 17 Houston? 18 A. Right. 19 Q. And what was Mr. Tredway's 20 response? 21 A. The team he -- I believe from 22 what I remember is the team he was going 23 to put me on had just moved someone into</p> | <p style="text-align: right;">Page 85</p> <p>1 position before you accepted that offer? 2 A. Like on somebody else's team? 3 Q. Yes. 4 A. Not that I remember. 5 Q. Did you call -- I'm just asking, 6 did you call anybody up to say: "Hey, 7 what's it like to work here? What's it 8 like to work on" -- "What's it like to 9 work with Mr. Daugherty?" Did you try to 10 get any sort of inside -- 11 A. Randy McClendon, maybe. I can't 12 remember if I talked to him. He said he 13 was a great guy. Everybody I talked to 14 said he was a great guy and good to work 15 for. 16 Q. So, what drove you to accept 17 Birmingham instead of the Houston offer? 18 A. The potential opportunity that I 19 saw in the department. 20 Q. And what do you mean by that? 21 A. Corey was a very successful and 22 -- I mean, considered an expert as a 23 professional liability broker. And he</p> |
| <p style="text-align: right;">Page 84</p> <p>1 the inside broker position, and so he 2 couldn't guarantee that that position, I 3 guess, would be available on that team 4 anytime soon. Corey had told me that 5 there was opportunity to learn, to grow, 6 and become a broker. 7 Q. Okay. Anything more specific 8 than that, other than there's opportunity 9 to learn and grow and become a broker? 10 Meaning, did he give you any sort of 11 timeline saying, oh, yeah, if you come 12 here and work X number of years, then you 13 can be a -- you can be a broker? 14 A. No. Not that I recall. 15 Q. Did he tell you whether or not 16 there were any other broker roles open on 17 his team at the time? 18 A. No. 19 Q. Did you talk to anybody else who 20 worked in the -- other than Mr. 21 Daugherty, did you talk to anybody else 22 who worked in the Birmingham CRC office 23 about moving to an account executive</p> | <p style="text-align: right;">Page 86</p> <p>1 was very young for where he was at, I 2 believe. His team was growing. And I 3 had watched teams grow, and I knew he 4 would need an inside broker at some 5 point. 6 Q. And what led you to believe that 7 he would need an inside broker? 8 A. I had spent the past eight years 9 auditing all of the teams, and that was 10 -- as you grew, you -- that helped you 11 grow, to have somebody be your inside 12 broker and market the business so you can 13 be producing and bringing in more. 14 Q. Do all teams have inside 15 brokers? 16 A. No. 17 Q. Do you know why some teams do 18 and some teams don't? 19 A. I think it's the -- up to the 20 broker. 21 Q. Did you want to stay in 22 Birmingham, or was that at all a driver 23 for you accepting the Birmingham</p> |

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| <p style="text-align: right;">Page 87</p> <p>1 position?</p> <p>2 A. I'm sure it was part of it. My</p> <p>3 family lives here.</p> <p>4 Q. In your initial discussions with</p> <p>5 Mr. Daugherty about the position, did you</p> <p>6 all talk about what you would be doing as</p> <p>7 an account executive?</p> <p>8 A. I can't remember if we</p> <p>9 specifically talked about it. I was</p> <p>10 familiar with what the role did from</p> <p>11 auditing the policies and procedures.</p> <p>12 Q. And what did that role do?</p> <p>13 A. They maintained, or helped keep</p> <p>14 the relationship with the agent; were in</p> <p>15 charge of creating the policy files,</p> <p>16 making sure the stuff was in there; and</p> <p>17 creating quotes, all the different</p> <p>18 documents that were required to be typed</p> <p>19 and done in AIM.</p> <p>20 Q. So helped maintain the</p> <p>21 relationship. They made sure the</p> <p>22 appropriate documents got -- they were</p> <p>23 responsible for creating the policy files</p> | <p style="text-align: right;">Page 89</p> <p>1 two to check the effective dates, the</p> <p>2 limits, the endorsements.</p> <p>3 Q. So between two to five minutes?</p> <p>4 A. Rough estimate.</p> <p>5 Q. Rough estimate.</p> <p>6 A. Uh-huh.</p> <p>7 Q. What was involved in creating</p> <p>8 quotes?</p> <p>9 A. Our team did the limited quote.</p> <p>10 So it was a memo that we would attach to</p> <p>11 the carrier's quote, so you had to put --</p> <p>12 input a lot less than you would on the</p> <p>13 full AIM quote where you had to retype</p> <p>14 all of the information.</p> <p>15 Q. So essentially, you had like a</p> <p>16 standard form that you would attach to</p> <p>17 whatever the insurance -- the quote</p> <p>18 document that you received from the</p> <p>19 insurance carrier?</p> <p>20 A. Uh-huh. And then you would --</p> <p>21 Q. Is that a yes?</p> <p>22 A. Yes. Sorry.</p> <p>23 Q. And then you would?</p> |
| <p style="text-align: right;">Page 88</p> <p>1 and making sure the appropriate</p> <p>2 documentation got into the files. They</p> <p>3 also created quotes. Anything else?</p> <p>4 A. They would do the binders. They</p> <p>5 would --</p> <p>6 Q. And that's the binders we've</p> <p>7 already talked about. Is that right?</p> <p>8 A. Yeah. They would issue the</p> <p>9 policies.</p> <p>10 Q. What's involved with issuing a</p> <p>11 policy?</p> <p>12 A. Checking it to make sure the</p> <p>13 coverages and everything matches the</p> <p>14 binder and sending it to the agent.</p> <p>15 Q. How long does that take?</p> <p>16 A. It depends on the policy file.</p> <p>17 Q. Average time? Just your best</p> <p>18 estimate.</p> <p>19 A. I mean, --</p> <p>20 Q. From your -- your specific --</p> <p>21 you know, doing that.</p> <p>22 A. I mean, a property policy would</p> <p>23 take maybe five minutes. Some would take</p> | <p style="text-align: right;">Page 90</p> <p>1 A. There were things you had to do</p> <p>2 on a carrier quote before sending to the</p> <p>3 agent, like whitening out the commission.</p> <p>4 Q. Whitening out, why would you do</p> <p>5 that?</p> <p>6 A. Because you didn't necessarily</p> <p>7 want the agent to see your commission.</p> <p>8 Q. Okay.</p> <p>9 A. We would tell them if they</p> <p>10 asked. We split the commissions with the</p> <p>11 agent, so what they saw wouldn't be what</p> <p>12 they got.</p> <p>13 Q. Who pays the commission?</p> <p>14 A. The carrier.</p> <p>15 Q. But I understand from Mr.</p> <p>16 Daugherty's testimony that on -- at least</p> <p>17 on the Birmingham professional liability</p> <p>18 side, the broker teams really considered</p> <p>19 the agents to be more so of your target</p> <p>20 clients.</p> <p>21 A. Right. Yeah. We don't work</p> <p>22 directly with insurers.</p> <p>23 Q. How long does it take to create</p> |

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| <p style="text-align: right;">Page 91</p> <p>1 a quote? On average.</p> <p>2 A. It could be five minutes.</p> <p>3 Q. Okay. What about doing the</p> <p>4 binders, how long would that take?</p> <p>5 A. Maybe two to three because you</p> <p>6 input the information at the quote stage.</p> <p>7 Q. Were account executives also</p> <p>8 responsible for renewals?</p> <p>9 A. Yeah.</p> <p>10 Q. What is involved in a renewal?</p> <p>11 A. Sending out a solicitation, or</p> <p>12 the renewal letter, I guess, with the</p> <p>13 application when it was coming up for</p> <p>14 renewal. I think we tried to do it two</p> <p>15 to three months before the effective</p> <p>16 date.</p> <p>17 Q. Anything else you would have to</p> <p>18 do other than send out a letter? I mean,</p> <p>19 would you call people and say, "Hey, your</p> <p>20 policy is about to expire," or call the</p> <p>21 agent and say, "Hey, this policy is about</p> <p>22 to expire"?</p> <p>23 A. Yeah, it could.</p> | <p style="text-align: right;">Page 93</p> <p>1 and figure out what markets might --</p> <p>2 Q. I'm sorry, what was that, the</p> <p>3 first thing you said about --</p> <p>4 A. Look at the submissions.</p> <p>5 Q. Look at the submissions.</p> <p>6 A. Follow up for any outstanding</p> <p>7 information.</p> <p>8 Q. What is a submission?</p> <p>9 A. Usually, it's the application,</p> <p>10 and it could be loss runs, whatever the</p> <p>11 carrier requires in order to quote the</p> <p>12 coverage.</p> <p>13 Q. What is a loss run?</p> <p>14 A. It recor- -- it is a history of</p> <p>15 the losses on policy accounts.</p> <p>16 Q. Was there a program that you</p> <p>17 would draw that information from? How</p> <p>18 would you get a --</p> <p>19 A. You had to get it from the</p> <p>20 carriers.</p> <p>21 Q. How did you do that?</p> <p>22 A. Some had loss run e-mail</p> <p>23 addresses. Some you would have to</p> |
| <p style="text-align: right;">Page 92</p> <p>1 Q. Yeah.</p> <p>2 A. Usually, you just sent the</p> <p>3 application, and then once you got the</p> <p>4 application back from the agent, you</p> <p>5 would send it to the carrier and any</p> <p>6 additional information you had about the</p> <p>7 account. And then the carrier would send</p> <p>8 you the quote back.</p> <p>9 Q. And you said -- one of the</p> <p>10 things you mentioned was maintaining or</p> <p>11 helping to keep relationships with the</p> <p>12 agents. What did that involve as an</p> <p>13 account executive?</p> <p>14 A. Well, you were responsible for</p> <p>15 the accounts of the agent and making sure</p> <p>16 that they got the application, and you</p> <p>17 were their point of contact, usually, on</p> <p>18 renewals.</p> <p>19 Q. All right. Anything else you</p> <p>20 did as an account executive?</p> <p>21 A. We also marketed business.</p> <p>22 Q. And how did you do that?</p> <p>23 A. Would look at the submissions</p> | <p style="text-align: right;">Page 94</p> <p>1 e-mail. Some you could pull off of their</p> <p>2 websites directly.</p> <p>3 Q. So for -- for the marketing</p> <p>4 business aspect, you would look at a</p> <p>5 submission, which would be an application</p> <p>6 from -- right? And this would be a</p> <p>7 business? Since y'all did professional</p> <p>8 liability, would it --</p> <p>9 A. Right. We'd get it from the</p> <p>10 agent, but --</p> <p>11 Q. Oh, you get it from the agent.</p> <p>12 But the application actually had been</p> <p>13 filled out by some company seeking a</p> <p>14 policy --</p> <p>15 A. Yeah.</p> <p>16 Q. -- of some sort?</p> <p>17 A. Yes.</p> <p>18 Q. And -- and you said you would</p> <p>19 follow up to see if there was any</p> <p>20 outstanding information needed for the</p> <p>21 application.</p> <p>22 A. Uh-huh. Yeah.</p> <p>23 Q. Is that right?</p> |

23 (Pages 91 - 94)

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| <p style="text-align: right;">Page 95</p> <p>1 A. And then we would -- sometimes</p> <p>2 for new business, we would create a</p> <p>3 submission letter, kind of doing a quick</p> <p>4 picture of what the exposures were and</p> <p>5 what coverages they were looking for and</p> <p>6 what attachments were included.</p> <p>7 Q. Okay. And then you would send</p> <p>8 that to carriers, various carriers --</p> <p>9 A. Uh-huh. The underwriters.</p> <p>10 Q. -- to see how -- like a quote</p> <p>11 for what they would insure that</p> <p>12 particular entity for?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Is that right?</p> <p>15 A. Yeah.</p> <p>16 Q. Would you do like a blast e-mail</p> <p>17 out?</p> <p>18 A. No.</p> <p>19 Q. Is that how you would do it?</p> <p>20 How would you do it?</p> <p>21 A. I would send individual e-mails</p> <p>22 to each of the underwriters. Some you</p> <p>23 might call to see if it was something</p> | <p style="text-align: right;">Page 97</p> <p>1 Q. Anything else?</p> <p>2 A. For Clay, a lot of times I would</p> <p>3 get marketing material from the marketing</p> <p>4 department printed when I was his account</p> <p>5 executive or worked on his accounts. I</p> <p>6 did that for Corey some too.</p> <p>7 Q. And who would you get those</p> <p>8 marketing materials from?</p> <p>9 A. The marketing department. Or</p> <p>10 sometime -- you -- the dashboard, you</p> <p>11 were able to create some graphs and stuff</p> <p>12 and -- but we'd have to send it to the</p> <p>13 marketing to get color prints.</p> <p>14 Q. Was there a specific person that</p> <p>15 you would typically reach out to in</p> <p>16 marketing?</p> <p>17 A. I think Colin Peterson was who I</p> <p>18 worked with a lot.</p> <p>19 Q. Do you know where -- where Colin</p> <p>20 was -- well, let me ask you this. Was</p> <p>21 the marketing department in Birmingham,</p> <p>22 or was it somewhere else?</p> <p>23 A. It was in Birmingham.</p> |
| <p style="text-align: right;">Page 96</p> <p>1 that would fit with them. But you still</p> <p>2 would send the submission if you wanted</p> <p>3 it quoted.</p> <p>4 Q. All right. Anything else you</p> <p>5 did to market business as an account</p> <p>6 executive?</p> <p>7 A. To market business as an account</p> <p>8 executive? I think that was the</p> <p>9 marketing aspect of it, I think.</p> <p>10 Q. Okay. Anything you -- any other</p> <p>11 duties in general that you had as an</p> <p>12 account executive when you worked on Mr.</p> <p>13 Daugherty's team?</p> <p>14 A. I prepared the renewal lists</p> <p>15 every month and sent them out to the</p> <p>16 teams -- to our team, which was what</p> <p>17 policies were coming up, who the agent</p> <p>18 was, and who was the assigned account</p> <p>19 exec.</p> <p>20 Q. Was that something that you</p> <p>21 created yourself, or had somebody been</p> <p>22 doing that prior to you?</p> <p>23 A. Yvette did it before I did.</p> | <p style="text-align: right;">Page 98</p> <p>1 Q. Okay.</p> <p>2 A. I don't -- there could be people</p> <p>3 in other offices, but --</p> <p>4 Q. Okay.</p> <p>5 A. -- I only remember in</p> <p>6 Birmingham.</p> <p>7 Q. And when you said "for Clay,"</p> <p>8 you're talking about Clay Segrest?</p> <p>9 A. Correct.</p> <p>10 Q. All right. Anything else that</p> <p>11 you did as an account executive?</p> <p>12 A. I would help respond to our</p> <p>13 internal audits, any issues that would</p> <p>14 come up for our team.</p> <p>15 Q. Anything else?</p> <p>16 A. Not that I can think of right</p> <p>17 now.</p> <p>18 Q. Who trained you on your account</p> <p>19 executive job duties?</p> <p>20 A. I had taken the AIM training</p> <p>21 class that was provided by CRC trainers</p> <p>22 two or three times throughout my course,</p> <p>23 maybe, in audit. And then I took it</p> |

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| <p style="text-align: right;">Page 99</p> <p>1 again when I started on Corey's team. So</p> <p>2 that was kind of to learn the system and</p> <p>3 what was required to be in the files.</p> <p>4 And I knew that stuff. And then I sat</p> <p>5 with Andrea and Yvette and -- I guess it</p> <p>6 was just the two of them that really.</p> <p>7 Q. Two of them that trained you?</p> <p>8 A. Yeah.</p> <p>9 Q. Okay. And for the record, it's</p> <p>10 -- that is Andrea Sutton?</p> <p>11 A. Uh-huh.</p> <p>12 Q. And Yvette Talsma?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Is that a yes?</p> <p>15 A. Yes. Sorry.</p> <p>16 Q. Before you accepted the account</p> <p>17 executive position, had you had any</p> <p>18 discussions with Mr. Daugherty about what</p> <p>19 your compensation would be?</p> <p>20 A. I don't think that I did.</p> <p>21 Q. Okay. So, was that part of a</p> <p>22 verbal offer that was made to you? So</p> <p>23 for example, did he call you up and say:</p> | <p style="text-align: right;">Page 101</p> <p>1 Q. But you don't recall Mr.</p> <p>2 Daugherty telling you any specifics about</p> <p>3 the type or range of bonus that you would</p> <p>4 get?</p> <p>5 A. No. Just that I -- I didn't get</p> <p>6 one the first go-around because of when I</p> <p>7 joined his team. And so I didn't get one</p> <p>8 from audit either since I had left there,</p> <p>9 so I knew that I was going in taking a</p> <p>10 pay cut.</p> <p>11 Q. Did you all have any discussions</p> <p>12 before you came in to that role about how</p> <p>13 -- about whether or not you would be</p> <p>14 entitled to a bonus?</p> <p>15 A. I don't believe so.</p> <p>16 Q. Okay. So when you were given</p> <p>17 your offer letter, you don't recall it</p> <p>18 saying anything about that you would get</p> <p>19 a bonus -- anything other than your base</p> <p>20 salary?</p> <p>21 A. Right. Correct. Not that I can</p> <p>22 recall.</p> <p>23 Q. Okay. And did you try to</p> |
| <p style="text-align: right;">Page 100</p> <p>1 "Hey, I want you on our team. We're</p> <p>2 going to pay you X"?</p> <p>3 A. I think it was an -- I think I</p> <p>4 did get an offer, official offer letter.</p> <p>5 Q. Okay.</p> <p>6 A. And it was just the same salary</p> <p>7 I was making in audit. The bonuses in</p> <p>8 audit I knew I felt were kind of -- I</p> <p>9 wasn't going to get a lot more than that.</p> <p>10 And so I knew that opportunity was over</p> <p>11 there.</p> <p>12 Q. You mean you weren't -- you knew</p> <p>13 in audit your bonuses weren't going to be</p> <p>14 higher than what they were, that \$1,000</p> <p>15 to \$6,000 range?</p> <p>16 A. I -- I assumed, yeah.</p> <p>17 Q. You assumed that that was going</p> <p>18 to be the amount of bonus that you would</p> <p>19 make on the production side, or did you</p> <p>20 think it was going to be more?</p> <p>21 A. More. Yeah.</p> <p>22 Q. Okay.</p> <p>23 A. I thought it would be more.</p> | <p style="text-align: right;">Page 102</p> <p>1 negotiate for a higher salary?</p> <p>2 A. No.</p> <p>3 Q. Why not?</p> <p>4 A. I really was excited about doing</p> <p>5 the job, and I felt like I was going to</p> <p>6 be good at it. And people that were</p> <p>7 successful on the production side seemed</p> <p>8 to be pretty successful.</p> <p>9 Q. So you felt like it was worth</p> <p>10 the pay cut in the short term because you</p> <p>11 saw people being successful on that side</p> <p>12 in the long run?</p> <p>13 A. Yeah. Or --</p> <p>14 Q. And again, so when you say</p> <p>15 "successful," you're talking about how</p> <p>16 much money they earned?</p> <p>17 A. Yeah, I -- I believe so. And at</p> <p>18 the time, I was aiming for the broker</p> <p>19 role and thinking that would be when it</p> <p>20 came if I could get to that point. But I</p> <p>21 knew I -- there were things that I still</p> <p>22 needed to learn about the brokerage side.</p> <p>23 Q. Okay. But you didn't have any</p> |

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| <p style="text-align: right;">Page 103</p> <p>1 understanding at the time you accepted 2 the account executive role about what, if 3 any, bonuses people were earning on the 4 production side? 5 A. I don't recall having that 6 conversation. 7 Q. What else -- what else did you 8 think you needed to learn when you came 9 in to the professional liability 10 department? 11 A. As the relation -- what 12 relationships were there, who had the 13 relationships, coverages, the markets. 14 Q. And when you say coverages, what 15 do you mean by that? 16 A. Professional lines had several 17 different coverages that they wrote, and 18 professional is very different than 19 property and casualty. 20 Q. And what were some of the 21 coverages that professional wrote? 22 A. Professional liability, errors 23 and omissions, employment practices,</p> | <p style="text-align: right;">Page 105</p> <p>1 times, specific to lines of coverage. So 2 like OneBeacon wrote -- I believe they 3 were just medical at one time. They 4 might have expanded and did some other. 5 Then like TDC, strictly medical 6 facilities. 7 Q. Yeah. 8 A. So it was very specialized. 9 Q. Is TDC a carrier, underwriter? 10 A. Uh-huh. 11 Q. Is that a yes? 12 A. Yes. Sorry. 13 Q. So you would need to know, when 14 an application came in for a certain kind 15 of coverage, which carrier wrote it so 16 you would know who to go to to get a 17 quote? 18 A. Uh-huh. 19 Q. Is that right? 20 A. Yeah. 21 Q. If I got any part of that wrong, 22 you correct me. Okay? 23 A. Yeah.</p> |
| <p style="text-align: right;">Page 104</p> <p>1 miscellaneous, you know, medical, 2 miscellaneous medical. 3 THE COURT REPORTER: I'm sorry, 4 what medical? 5 THE WITNESS: Miscellaneous 6 medical. 7 A. And they wrote a lot of senior 8 living accounts that were the 9 professional and general liability. It 10 would come together on one policy. 11 Q. And so when you say you had to 12 learn coverages, is what you mean by that 13 that you had to -- you had to learn what 14 these policies covered, the types of 15 claims and the types of incidents that 16 they would cover so that you would know 17 how to place coverage? 18 A. Yeah. Yes. And along with what 19 market wrote what business. 20 Q. Explain that to me, what you 21 mean by, "what market wrote what 22 business." 23 A. So markets would be, a lot of</p> | <p style="text-align: right;">Page 106</p> <p>1 Q. Okay. Is there anything else 2 about the -- knowing the markets? 3 A. The relationships with the 4 carriers or with the underwriters. 5 Q. Okay. 6 A. That's -- it was -- 7 Q. Why was that important? 8 A. It was a relationship business, 9 is what everybody said. 10 Q. Do you agree with that? 11 A. I do. 12 Q. So, what relationships did you 13 learn about when you first joined the 14 team? 15 A. When I first joined the team? 16 Q. Yes. 17 A. I was more working with the 18 agents at that time while I'm -- with 19 Clay's, some of Corey's. 20 Q. Who were Clay's agents? 21 A. I would have to -- I mean, I 22 remember Lockton New York was a big one 23 he was working on. He had inherited a</p> |

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| <p style="text-align: right;">Page 107</p> <p>1 lot of accounts from Corey.</p> <p>2 Q. What accounts do you think that</p> <p>3 he inherited from Corey?</p> <p>4 A. What accounts? I would have to</p> <p>5 look at the lists --</p> <p>6 Q. Okay.</p> <p>7 A. -- to remember the names of</p> <p>8 them.</p> <p>9 Q. Okay. What about Lockton?</p> <p>10 A. I just -- it was a big carrier</p> <p>11 that Clay was working on.</p> <p>12 Q. Okay. You don't know if that's</p> <p>13 an account he inherited from Corey?</p> <p>14 A. No, it was not.</p> <p>15 Q. That was an account he brought</p> <p>16 in?</p> <p>17 A. Yeah. I can't remember how he</p> <p>18 met the guy.</p> <p>19 Q. What about New York?</p> <p>20 A. Lockton New York. Sorry.</p> <p>21 Q. Oh, that's correct. Thank you.</p> <p>22 All right. Any other of Clay's</p> <p>23 agents that you think you were working --</p> | <p style="text-align: right;">Page 109</p> <p>1 Q. Okay.</p> <p>2 A. Maybe Clay. Morton was the</p> <p>3 Colorado agent.</p> <p>4 Q. Okay.</p> <p>5 THE COURT REPORTER: Morton?</p> <p>6 THE WITNESS: Morton.</p> <p>7 Q. Was Morton Corey's or was it</p> <p>8 Clay's?</p> <p>9 A. Corey's.</p> <p>10 Q. Okay. Okay. Any other of</p> <p>11 Clay's accounts that you recall that you</p> <p>12 worked on as an account executive?</p> <p>13 A. I can't think of any right now.</p> <p>14 Q. Okay. J. Smith Lanier, do you</p> <p>15 know, was that his account, or do you --</p> <p>16 or is it your contention he inherited</p> <p>17 that from Mr. Daugherty?</p> <p>18 A. I am not sure.</p> <p>19 Q. When you were an account</p> <p>20 executive, who -- who did you report to?</p> <p>21 A. Corey.</p> <p>22 Q. Mr. Daugherty?</p> <p>23 A. Yes.</p> |
| <p style="text-align: right;">Page 108</p> <p>1 you said Lockton New York. Did you say</p> <p>2 that you couldn't remember any more or</p> <p>3 that there were others?</p> <p>4 A. There were others.</p> <p>5 Q. You just don't know as you sit</p> <p>6 here right now who they were?</p> <p>7 A. Right. I couldn't name them</p> <p>8 all.</p> <p>9 Q. Okay. Can you name any of them?</p> <p>10 A. J. Smith Lanier in -- I can't</p> <p>11 remember where they were located. He had</p> <p>12 an agent or two in Colorado, I believe,</p> <p>13 and I think he inherited those from Corey</p> <p>14 because Corey had -- couldn't work on</p> <p>15 other Colorado accounts, I believe,</p> <p>16 because of --</p> <p>17 Q. What --</p> <p>18 A. Because of the -- he had a big</p> <p>19 agent that he worked with there. I think</p> <p>20 I remember that correct.</p> <p>21 Q. Is that information that</p> <p>22 somebody told you?</p> <p>23 A. I believe Corey told me.</p> | <p style="text-align: right;">Page 110</p> <p>1 Q. I'm going to -- my understanding</p> <p>2 is that there is two Coreys --</p> <p>3 A. Okay.</p> <p>4 Q. -- that worked at --</p> <p>5 A. Woodward.</p> <p>6 Q. Okay.</p> <p>7 A. Yeah.</p> <p>8 Q. So I just want to make sure that</p> <p>9 we get the -- that we keep our Coreys</p> <p>10 straight.</p> <p>11 A. Okay. Okay.</p> <p>12 MS. PALMER: We've been going an</p> <p>13 hour. Are you okay? Do you want to take</p> <p>14 a break?</p> <p>15 MS. WILKINSON: I could use one.</p> <p>16 I just didn't want to interrupt you if</p> <p>17 you're shifting gears.</p> <p>18 MS. BARLOTTA: Yeah, we are</p> <p>19 shifting gears. I think it's a good time</p> <p>20 to take a break. That's fine.</p> <p>21 MS. WILKINSON: That would be</p> <p>22 wonderful. Thank you.</p> <p>23 THE VIDEOGRAPHER: We're going</p> |

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| <p style="text-align: right;">Page 111</p> <p>1 off the record at 11:11. 2 (Break taken.) 3 THE VIDEOGRAPHER: We're going 4 back on the record at 11:28. 5 MS. BARLOTTA: While we're back 6 on the record, Leslie, we had not ended 7 specifically the part that was going to 8 be under seal, so I just wanted to make 9 sure that we had a way to go back. 10 Because, I mean, obviously, we've had a 11 long -- a lot of testimony that would not 12 qualify for being under seal, so if we 13 could just agree that that portion end 14 when we stopped discussing Plaintiff's -- 15 Defendant's Exhibit 4. 16 MS. PALMER: Exhibit 4? 17 MS. BARLOTTA: Correct. 18 Q. (By Ms. Barlotta) Okay. I'm 19 showing you what I've marked as 20 Defendant's Exhibit 5. These are 21 documents that the defendants produced in 22 this case as part of your personnel 23 records. And it's my understanding that</p> | <p style="text-align: right;">Page 113</p> <p>1 6, which I'll submit to you is a portion 2 of the BB&T associates handbook for 2018. 3 And according to Defendant's Exhibit 5, 4 page 8, you acknowledged this -- receipt 5 of this handbook on February 9th, 2018. 6 Do you see that? 7 (Defendant's Exhibit 6 was marked for 8 identification and is attached.) 9 A. I do. 10 Q. Okay. And on the signature 11 statement provide -- on page 8 -- that "I 12 acknowledge that the 2018 Excellence 13 Associate Handbook and information about 14 BB&T's benefits are available through the 15 BB&T benefits website at bbtbenefits.com. 16 I understand that I am responsible for 17 reading and abiding by the policies and 18 procedures contained in the handbook." 19 And do you agree that you signed 20 that acknowledgment? 21 A. Looks like I did. 22 Q. Going back to Defendant's 23 Exhibit 6, I specifically want to direct</p> |
| <p style="text-align: right;">Page 112</p> <p>1 this is an electronic summary of your 2 acknowledgments of various handbooks and 3 policies while you were employed with CRC 4 after CRC became associated with BB&T. 5 So I want to ask you, do you 6 recall that from time to time you would 7 be asked to sign an electronic 8 acknowledgment for policies that BB&T 9 had? 10 (Defendant's Exhibit 5 was marked for 11 identification and is attached.) 12 A. Yes. 13 Q. And do you have -- with respect 14 to this document, do you have any reason 15 to dispute where if it says signed by 16 Kathryn Hendrix and on the date, that you 17 did not electronically sign for these 18 policies on the dates and times 19 indicated? 20 A. I don't have any reason to 21 dispute it. 22 Q. Okay. I'm going to show you 23 what I'm marking as Defendant's Exhibit</p> | <p style="text-align: right;">Page 114</p> <p>1 your attention to the last page of that 2 exhibit, which is Bates-labeled 453, with 3 respect to reporting incidents of 4 harassment and discrimination. 5 Did you -- when you -- what I -- 6 what I want to ask you is, first of all, 7 did you -- when you signed for the 8 employee handbook, did you take time to 9 look at it and review it in 2018? 10 A. I couldn't be positive if I did. 11 Q. Okay. At any point in time, did 12 you go and review the BB&T policy on 13 reporting incidents of harassment and 14 discrimination? 15 A. I recall looking at the policy. 16 I don't know when it would have been or 17 what handbook, what year. 18 Q. Okay. When did you look at the 19 policy? 20 MS. PALMER: Object to form. 21 A. I -- 22 Q. Well, let me ask you this. Was 23 it after you started working for -- on</p> |

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| <p style="text-align: right;">Page 115</p> <p>1 the production side?</p> <p>2 A. Yeah, I'm sure.</p> <p>3 Q. Okay.</p> <p>4 A. I probably reviewed some when I</p> <p>5 was on the audit side too.</p> <p>6 Q. Okay. Did you know where to</p> <p>7 find BB&T policies?</p> <p>8 A. I did.</p> <p>9 Q. Were those available to you on</p> <p>10 the company intranet?</p> <p>11 A. Yes.</p> <p>12 Q. Did you understand that</p> <p>13 employees could report concerns about</p> <p>14 discrimination to supervisors, managers,</p> <p>15 associates?</p> <p>16 A. Yes.</p> <p>17 Q. No. I'm sorry. Strike that.</p> <p>18 That's not what I meant to say.</p> <p>19 Did you understand that reports</p> <p>20 of discrimination could be made to the</p> <p>21 associate's supervisor, to the department</p> <p>22 manager, the associate relations manager,</p> <p>23 or the corporate associate relations</p> | <p style="text-align: right;">Page 117</p> <p>1 you agree that according to Defendant's</p> <p>2 Exhibit 5, that you acknowledged the</p> <p>3 receipt of this handbook on February 1st,</p> <p>4 2019?</p> <p>5 (Defendant's Exhibit 7 was marked for</p> <p>6 identification and is attached.)</p> <p>7 A. Looks like it.</p> <p>8 Q. So you had the opportunity to</p> <p>9 review that handbook. Is that correct?</p> <p>10 (Witness reviews document.)</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Including the policies</p> <p>13 that BB- -- BB&T had for reporting</p> <p>14 incidents of discrimination and</p> <p>15 harassment?</p> <p>16 A. Which --</p> <p>17 Q. I mean, you had -- that's what</p> <p>18 I'm asking. So you had the opportunity</p> <p>19 to review the handbook including the</p> <p>20 policies set forth in Defendant's Exhibit</p> <p>21 7 for reporting incidents of harassment</p> <p>22 and discrimination?</p> <p>23 A. I believe so.</p> |
| <p style="text-align: right;">Page 116</p> <p>1 manager?</p> <p>2 A. Yes.</p> <p>3 Q. And who did you understand to be</p> <p>4 the department manager when you were</p> <p>5 working for the professional liability</p> <p>6 department?</p> <p>7 A. Rusty Hughes.</p> <p>8 Q. Who was the regional associate</p> <p>9 relations manager?</p> <p>10 A. Stefani Petty, I think.</p> <p>11 THE COURT REPORTER: I'm sorry,</p> <p>12 say the name again.</p> <p>13 THE WITNESS: Stefani Petty.</p> <p>14 A. I don't know if -- maybe Stefani</p> <p>15 Petty. Or she might have been the</p> <p>16 corporate. Yeah. No. I think she was</p> <p>17 the regional. I can't remember.</p> <p>18 Q. Thanks. So you knew who Ms.</p> <p>19 Petty was before this lawsuit?</p> <p>20 A. I did.</p> <p>21 Q. Okay. I'm going to show you</p> <p>22 what I've marked as Defendant's Exhibit</p> <p>23 7, which is the 2019 handbook. And do</p> | <p style="text-align: right;">Page 118</p> <p>1 Q. Okay. How did it come that --</p> <p>2 how did it come to be that you moved to</p> <p>3 the position of inside broker?</p> <p>4 A. I was promoted by Corey.</p> <p>5 Q. How did that promotion come</p> <p>6 about?</p> <p>7 A. The way I recall, we went to</p> <p>8 lunch, me, Corey, and Clay, and discussed</p> <p>9 several things that were kind of</p> <p>10 repetitive of what we had -- we had</p> <p>11 already discussed about me learning more</p> <p>12 about the sales. And I feel like I</p> <p>13 remember them starting to prepare to</p> <p>14 leave because I thought -- I thought I</p> <p>15 was there for a promotion. I thought he</p> <p>16 was going to tell me about it then</p> <p>17 because we had been talking about me</p> <p>18 moving in that direction. And when he</p> <p>19 didn't, I mentioned that the Birmingham</p> <p>20 corporate office hadn't hired a woman</p> <p>21 broker at the time in I thought was 12</p> <p>22 years and it was a problem, and I</p> <p>23 couldn't believe that BB&T was allowing</p> |

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| <p style="text-align: right;">Page 119</p> <p>1 it to happen.</p> <p>2 Q. Okay. When you said -- what did</p> <p>3 you -- that first part you said, that you</p> <p>4 -- that you talked about things that were</p> <p>5 repetitive such as learning more about</p> <p>6 sales, what is --</p> <p>7 A. There were several times he</p> <p>8 would tell me that he was going to get me</p> <p>9 more involved. I would go on more sales</p> <p>10 calls, more marketing meetings, so -- and</p> <p>11 move towards learning about the broker</p> <p>12 role.</p> <p>13 Q. Okay. And was that something</p> <p>14 you felt like you needed more -- to learn</p> <p>15 more about?</p> <p>16 A. Yes. But I also needed the</p> <p>17 promotion. I thought at the time it</p> <p>18 would relieve me of the account executive</p> <p>19 duties that I was handling.</p> <p>20 Q. Why did you want to be relieved</p> <p>21 of those duties?</p> <p>22 A. To learn -- to give me time to</p> <p>23 learn about the sales.</p> | <p style="text-align: right;">Page 121</p> <p>1 administrative duties, all you have to</p> <p>2 focus on is learning how to be a broker?</p> <p>3 A. No. But there weren't any other</p> <p>4 brokers besides Cathy Reeves that had</p> <p>5 that responsibility on them.</p> <p>6 Q. What do you mean? Have what</p> <p>7 responsibility?</p> <p>8 A. Account executive duties. And I</p> <p>9 knew -- I had been told up until that</p> <p>10 point that a broker is a broker.</p> <p>11 Q. When you became an inside</p> <p>12 broker, were you still expecting to</p> <p>13 receive a base salary?</p> <p>14 A. Yes.</p> <p>15 Q. And in your mind, if you were</p> <p>16 being relieved of account executive</p> <p>17 duties, what would you be being</p> <p>18 compensated for when you became an inside</p> <p>19 broker before you were producing any sort</p> <p>20 of revenue on your own?</p> <p>21 A. I was thinking Corey would use</p> <p>22 me as his inside broker to market his</p> <p>23 business and place accounts. I kind of</p> |
| <p style="text-align: right;">Page 120</p> <p>1 Q. Okay. Why did you think that</p> <p>2 you would be relieved of account</p> <p>3 executive duties?</p> <p>4 A. Because I was being promoted to</p> <p>5 a different position, and our team was</p> <p>6 hiring a new account executive. I</p> <p>7 assumed at the time that she would be the</p> <p>8 account executive on mine and the</p> <p>9 accounts Clay and I worked mainly because</p> <p>10 Clay did not have the revenue to support</p> <p>11 an account executive just for him. I</p> <p>12 didn't really have a reason to think that</p> <p>13 it wouldn't change.</p> <p>14 Q. Well, I mean, did you know any</p> <p>15 other inside brokers in the PL department</p> <p>16 at that time?</p> <p>17 A. I knew Cathy Reeves. But I was</p> <p>18 familiar with the position from my audit</p> <p>19 experience.</p> <p>20 Q. Okay. Well, what I'm trying to</p> <p>21 get at, though, is, did somebody tell you</p> <p>22 that when you become an inside broker,</p> <p>23 that you no longer have to do</p> | <p style="text-align: right;">Page 122</p> <p>1 assumed Clay would, too, at the --</p> <p>2 initially.</p> <p>3 Q. Were you not -- were you not</p> <p>4 already doing that as an account</p> <p>5 executive? When you say market business,</p> <p>6 because you -- you did mention before,</p> <p>7 that was one of the things that you did</p> <p>8 as an account executive.</p> <p>9 A. Right. Yeah. Yeah.</p> <p>10 Q. Okay.</p> <p>11 A. I kind of assumed that that role</p> <p>12 would move to me off of Andrea and</p> <p>13 Yvette, too, and I would take that off of</p> <p>14 them, but they continued to do their own</p> <p>15 marketing.</p> <p>16 Q. Okay. And that was an</p> <p>17 assumption you made, that those duties</p> <p>18 would be removed from you?</p> <p>19 A. An educated assumption based off</p> <p>20 of my history in audit, and I was --</p> <p>21 Q. Okay. Well, let's talk about</p> <p>22 that. What -- what else -- I mean, who</p> <p>23 else specifically did you learn from in</p> |

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| <p style="text-align: right;">Page 123</p> <p>1 audit that once they became an inside 2 broker, they no longer had account 3 executive duties other than marketing 4 business? 5 A. I didn't learn that from 6 anybody. I just was familiar with who I 7 would go to when certain items were not 8 in the file or I had questions about 9 certain procedures. I would never go to 10 an inside broker and ask him where the 11 app was. Or they weren't typing the 12 quotes. It's -- 13 Q. And who are you thinking of? 14 Anybody specifically? 15 A. I mean, there were 500 broker 16 teams, so they could all be -- they could 17 be set up differently. I don't remember 18 any specific. 19 Q. Okay. But it would be fair to 20 say that no one, no inside broker that 21 you had any sort of interactions with 22 while you were in audit ever said to you, 23 "Oh, once you're an inside broker, you</p> | <p style="text-align: right;">Page 125</p> <p>1 A. I could have offered a lot more 2 value to Corey as an inside broker. I 3 assumed getting a promotion, it would 4 also include a change of responsibilities 5 and duties. I knew I would always have 6 to do some administrative things, but 7 it's the difference between it being your 8 responsibility and having somebody else 9 that you could send it to. 10 Q. Okay. I just -- and I -- and 11 thank you for that. But I think my 12 question is a little bit different. I 13 think I'm trying to understand why -- 14 what it was about your experience at CRC 15 up to that point that led you to conclude 16 that once you became an inside broker, 17 you would not be doing account executive 18 things, you would mainly just be 19 marketing business. 20 A. They were different positions. 21 Q. Anything other than the fact 22 that they were -- that the positions had 23 different names on them?</p> |
| <p style="text-align: right;">Page 124</p> <p>1 don't have to do anything except market 2 business"? 3 A. No. 4 Q. That was an assumption you made 5 because when you were auditing files, you 6 would see -- you didn't see the inside 7 brokers' names on certain things like 8 quotes or policy binders? 9 A. There was a distinction between 10 broker and non-broker roles, so. 11 Q. Okay. But I'm just trying to 12 figure out what led you to believe that 13 when you became an inside broker, you 14 wouldn't have to do other account 15 executive duties other than marketing 16 business. And I think you said that that 17 was an understanding that you had got 18 from auditing files and from looking at 19 the files. And if I'm wrong, you tell me 20 I'm wrong. I just want to make sure that 21 I understand where you reached that 22 conclusion. Or what that conclusion was 23 based upon.</p> | <p style="text-align: right;">Page 126</p> <p>1 A. I mean, the job descriptions, I 2 believe, were different. 3 Q. Okay. Did you look at the job 4 description -- 5 A. I can't remember. 6 Q. -- before you accepted the 7 inside broker job? 8 A. I can't remember. 9 Q. Did you ask Corey to -- to 10 become an inside broker specifically? 11 A. Yes, I think. But I think he 12 asked which I was interested in, 13 associate or inside. And being an inside 14 broker for Corey was a great opportunity. 15 Q. So you told him you were 16 interested in the inside broker role? 17 A. Right. 18 Q. Why did you say that versus the 19 associate broker role? 20 A. Because I saw the opportunity 21 that was in front of me was -- being 22 Corey's inside broker was a great 23 opportunity. Being an associate broker,</p> |

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| <p style="text-align: right;">Page 127</p> <p>1 it would have been harder, and I also --</p> <p>2 mainly because -- I'm really not sure.</p> <p>3 Q. Okay. What about being an</p> <p>4 associate broker would have been harder</p> <p>5 than being an inside broker?</p> <p>6 A. The associate broker is supposed</p> <p>7 to build their book and bring in all of</p> <p>8 the business that they work on.</p> <p>9 Q. Okay. And -- and an assoc- --</p> <p>10 an inside broker is not expected to build</p> <p>11 their book?</p> <p>12 A. Correct. That was my</p> <p>13 understanding.</p> <p>14 Q. You just work on the business</p> <p>15 that the lead broker brings in, as an</p> <p>16 inside broker?</p> <p>17 A. Yeah. I mean, I could have the</p> <p>18 opportunities to solicit other business</p> <p>19 from agents, but the --</p> <p>20 Q. You weren't expected to?</p> <p>21 A. That was my understanding that I</p> <p>22 -- when I got the position. And then it</p> <p>23 was -- started being described different</p> | <p style="text-align: right;">Page 129</p> <p>1 he had a lot of -- he would have a lot of</p> <p>2 money like because he was making a lot of</p> <p>3 commissions? What was the opportunity?</p> <p>4 A. That he was growing fast, and I</p> <p>5 knew that he could grow faster if he</p> <p>6 would utilize an inside broker on his</p> <p>7 team. I felt that he would.</p> <p>8 Q. Okay. What was the opportunity</p> <p>9 for you, though, in working with Mr.</p> <p>10 Daugherty --</p> <p>11 A. So --</p> <p>12 Q. -- as an inside broker? When</p> <p>13 you said you wanted to be an inside</p> <p>14 broker, I asked you -- let -- let me just</p> <p>15 take a step back because I may have lost</p> <p>16 you, so let me go back.</p> <p>17 You said -- when I asked you why</p> <p>18 inside versus out- -- associate broker,</p> <p>19 you said, "Well, I saw" -- "I thought</p> <p>20 being an inside broker with Mr. Daugherty</p> <p>21 would be a great opportunity." So that's</p> <p>22 what I'm trying to get at. What was --</p> <p>23 what specifically was the opportunity</p> |
| <p style="text-align: right;">Page 128</p> <p>1 once I was in it.</p> <p>2 Q. Okay. And then once you were in</p> <p>3 it, what did you -- how -- what do you</p> <p>4 mean by that?</p> <p>5 A. Corey had sent me an e-mail</p> <p>6 about getting on the road and bringing</p> <p>7 new business in from agents. When Rusty</p> <p>8 told the department that I was now an</p> <p>9 inside broker, he said, "And so she will</p> <p>10 be building her own book of business</p> <p>11 now." And that caught me off guard, so I</p> <p>12 said, "I'll be helping Corey grow his."</p> <p>13 Q. Okay. I want to go back to</p> <p>14 something you said just to make sure I</p> <p>15 understood what you meant by it. You</p> <p>16 said you saw being an inside broker with</p> <p>17 Mr. Daugherty as being a great</p> <p>18 opportunity. What was the great</p> <p>19 opportunity that you saw?</p> <p>20 A. He was a young broker and very</p> <p>21 good at what he did.</p> <p>22 Q. Well, was the opportunity to</p> <p>23 learn from him? Was the opportunity that</p> | <p style="text-align: right;">Page 130</p> <p>1 that you saw for yourself in that?</p> <p>2 A. Corey was still doing things</p> <p>3 that he, as the lead broker, shouldn't be</p> <p>4 wasting and spending his time on, and I</p> <p>5 knew that if he was freed up -- I mean, I</p> <p>6 told him at one point that we were a \$3</p> <p>7 million team, but he -- I was confused</p> <p>8 why he wasn't a \$5 million team and --</p> <p>9 because I had worked with all the teams</p> <p>10 and seen them grow. And he was one of</p> <p>11 the best at what he did.</p> <p>12 Q. Okay. And so, was that the</p> <p>13 opportunity, you wanted to learn from the</p> <p>14 best? What was the --</p> <p>15 A. Right. So when I was promoted</p> <p>16 to -- it came with the marketing ID code</p> <p>17 too, so I could now somewhat record</p> <p>18 revenue in the system under me.</p> <p>19 Q. And why was that important?</p> <p>20 A. I believe that I thought that</p> <p>21 would be what I would be bonused off of.</p> <p>22 Q. Were you -- to your</p> <p>23 understanding, was there any coding in</p> |

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| <p style="text-align: right;">Page 131</p> <p>1 the -- and when you say "system," you</p> <p>2 mean the AIM system.</p> <p>3 A. Correct.</p> <p>4 Q. Is that right?</p> <p>5 Was there any coding in the AIM</p> <p>6 system when you were an account executive</p> <p>7 that was tied to your -- the bonuses that</p> <p>8 you received, to your understanding?</p> <p>9 A. I didn't know if they were</p> <p>10 directly tied.</p> <p>11 Q. What specifically in the system?</p> <p>12 A. Well, I would be marked as a</p> <p>13 CISR, so you would be able to see what --</p> <p>14 how much revenue I was working on.</p> <p>15 Q. Okay. When you said that it</p> <p>16 caught you off guard that Rusty -- you</p> <p>17 mean Rusty Hughes --</p> <p>18 A. Yes.</p> <p>19 Q. -- is that right -- had made the</p> <p>20 comment that you would be building your</p> <p>21 own book of business, was that -- you</p> <p>22 were not interested in doing that at</p> <p>23 that -- at that point in time?</p> | <p style="text-align: right;">Page 133</p> <p>1 A. Right. The opportunity was</p> <p>2 always there to bring in new business if</p> <p>3 the time wasn't.</p> <p>4 Q. Well, when he -- when Mr.</p> <p>5 Daugherty suggested to you that you go on</p> <p>6 the road or -- or -- did you tell him you</p> <p>7 weren't interested in doing that? Like</p> <p>8 you -- you didn't want to have to try to</p> <p>9 bring in business, you wanted to just</p> <p>10 work on his accounts?</p> <p>11 A. I don't believe so.</p> <p>12 Q. Okay. Is -- is that how you</p> <p>13 felt at that time?</p> <p>14 A. I started to get confused around</p> <p>15 then and --</p> <p>16 Q. And I'm -- the time frame I'm</p> <p>17 talking about is right when you first</p> <p>18 became an inside broker.</p> <p>19 A. Right.</p> <p>20 Q. Okay. Is that --</p> <p>21 A. Because I thought I was being</p> <p>22 promoted to an inside broker.</p> <p>23 Q. I just wanted to be sure we were</p> |
| <p style="text-align: right;">Page 132</p> <p>1 A. No. I was surprised he was --</p> <p>2 didn't know what the role of an inside</p> <p>3 broker was.</p> <p>4 Q. That Rusty didn't know what the</p> <p>5 role of an inside broker was?</p> <p>6 A. Uh-huh. That I understood it</p> <p>7 as.</p> <p>8 Q. Did you ask anyone any questions</p> <p>9 about that when he made that comment?</p> <p>10 A. No.</p> <p>11 Q. Did you go back to --</p> <p>12 A. I said working on Corey's --</p> <p>13 growing Corey's book of business.</p> <p>14 Q. Okay. Did you go back to Mr.</p> <p>15 Daugherty and say, "Mr. Hughes made this</p> <p>16 comment, and I just want to make sure</p> <p>17 that I'm not responsible for bringing in</p> <p>18 my own clients at this point"?</p> <p>19 A. I don't recall doing that.</p> <p>20 Q. Did you ever have any</p> <p>21 discussions -- I think you mentioned that</p> <p>22 Mr. Daugherty sent you an e-mail about</p> <p>23 being on the road?</p> | <p style="text-align: right;">Page 134</p> <p>1 on the same page about the time frame.</p> <p>2 So -- all right. So I just want to make</p> <p>3 sure, you thought you -- you were going</p> <p>4 to be an inside broker. Your</p> <p>5 understanding of inside broker was that</p> <p>6 you were not going to be expected to</p> <p>7 build your own book of business; right?</p> <p>8 A. Right.</p> <p>9 Q. You thought that you would be</p> <p>10 doing -- mainly just marketing Corey's</p> <p>11 business. Is that right?</p> <p>12 A. Yeah.</p> <p>13 Q. And not any other account</p> <p>14 executive duties?</p> <p>15 A. Right.</p> <p>16 Q. And you were expecting to make</p> <p>17 more money in the inside broker role as</p> <p>18 well?</p> <p>19 A. Well, because I was expecting</p> <p>20 the inside broker business from Andrea</p> <p>21 and Yvette's agents to start coming to</p> <p>22 me, too. And I went to Corey about that</p> <p>23 one time, and he told me that Andrea</p> |

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| <p style="text-align: right;">Page 135</p> <p>1 liked to market her own accounts. And so</p> <p>2 this -- I was starting to realize that</p> <p>3 the opportunity might not be there like I</p> <p>4 thought it was.</p> <p>5 Q. So, would it be fair to say that</p> <p>6 you thought that the opportunity was that</p> <p>7 you were going to help Corey get more</p> <p>8 business and that you would get credit</p> <p>9 for that business?</p> <p>10 A. Well, I just would help him grow</p> <p>11 his book. There could be different ways</p> <p>12 to do that. I felt like there could.</p> <p>13 The -- one of the first -- oh, I'm sorry.</p> <p>14 One of the first things was him -- us</p> <p>15 working on the small business accounts.</p> <p>16 Q. Okay. Well, were you expecting</p> <p>17 your compensation to increase as an</p> <p>18 inside broker?</p> <p>19 A. I would have thought my bonus</p> <p>20 would have increased.</p> <p>21 Q. Did you expect to work more or</p> <p>22 longer hours as an inside broker than you</p> <p>23 were as an account executive?</p> | <p style="text-align: right;">Page 137</p> <p>1 the time, it was more focused on the</p> <p>2 carrier/broker/market relationship, and</p> <p>3 the account executive maintains the</p> <p>4 relationship with the agent.</p> <p>5 Q. Okay. So maybe a better way to</p> <p>6 go about this would just be to tell me,</p> <p>7 as an inside broker, what specific duties</p> <p>8 did you think you would be doing on the</p> <p>9 marketing?</p> <p>10 A. The whole marketing process. So</p> <p>11 either -- like when a new submission came</p> <p>12 in, somebody would send it to me, and I</p> <p>13 could create -- get -- get it logged,</p> <p>14 create the cover sheet, get it to</p> <p>15 markets.</p> <p>16 Q. Okay. All right. I'm showing</p> <p>17 you what I've marked as Defendant's</p> <p>18 Exhibit 8. This is a document that's</p> <p>19 been produced by the defendants in this</p> <p>20 case, which is the BB&T job title for</p> <p>21 inside broker. Is this the job</p> <p>22 description you were referring to earlier</p> <p>23 in your testimony?</p> |
| <p style="text-align: right;">Page 136</p> <p>1 A. Uh-huh.</p> <p>2 Q. Is that a yes?</p> <p>3 A. Yes. I'm sorry.</p> <p>4 Q. And you would only be -- the</p> <p>5 only thing you would be doing would be</p> <p>6 the marketing for -- to your</p> <p>7 understanding or what your expectation</p> <p>8 was, I guess?</p> <p>9 A. Uh-huh. I mean, yeah, and the</p> <p>10 more business he could bring in because</p> <p>11 if I could take some of the marketing off</p> <p>12 of his plate.</p> <p>13 Q. And the marketing that you're --</p> <p>14 I just want to be clear because marketing</p> <p>15 means, I think, a different thing in</p> <p>16 this -- this context than it does in the</p> <p>17 normal -- normal vernacular.</p> <p>18 A. It does.</p> <p>19 Q. But marketing in this case means</p> <p>20 that -- getting the applications in from</p> <p>21 an agent and going out and trying to get</p> <p>22 a carrier to -- to quote it?</p> <p>23 A. Yeah. I -- what I thought at</p> | <p style="text-align: right;">Page 138</p> <p>1 (Defendant's Exhibit 8 was marked for</p> <p>2 identification and is attached.)</p> <p>3 A. I couldn't say.</p> <p>4 Q. Okay. Did you -- but you, at</p> <p>5 some point when you were working at CRC,</p> <p>6 thought you saw an inside broker written</p> <p>7 job description?</p> <p>8 A. Well, when I looked at them, I</p> <p>9 started noticing that they kind of were</p> <p>10 encompassing all of the jobs on all of</p> <p>11 the job descriptions.</p> <p>12 Q. Is that -- so, is that a yes,</p> <p>13 you looked at it at some point in time?</p> <p>14 A. I believe I did.</p> <p>15 Q. Okay.</p> <p>16 A. I don't know that it was this</p> <p>17 one.</p> <p>18 Q. Okay. On the "Essential Duties</p> <p>19 and Responsibilities," is there anything</p> <p>20 listed here that you disagree that you</p> <p>21 did as an inside broker?</p> <p>22 (Witness reviews document.)</p> <p>23 A. No. I don't disagree.</p> |

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| <p style="text-align: right;">Page 139</p> <p>1 Q. Okay.</p> <p>2 A. I don't think.</p> <p>3 Q. Okay. So let's go back to this</p> <p>4 conversation that you had with -- the</p> <p>5 lunch conversation. When was -- when</p> <p>6 roughly -- I don't expect you to come up</p> <p>7 with a day or month, but when roughly was</p> <p>8 this conversation at lunch that you had</p> <p>9 with Mr. Segrest and Mr. Daugherty?</p> <p>10 A. August 2017.</p> <p>11 Q. Okay. And you said you went</p> <p>12 there because you -- you were at the</p> <p>13 lunch thinking that you were going to be</p> <p>14 promoted to inside broker. Is that</p> <p>15 right?</p> <p>16 A. I was thinking that.</p> <p>17 Q. Why did you think that?</p> <p>18 MS. PALMER: Object to the form.</p> <p>19 You can answer.</p> <p>20 THE WITNESS: Okay.</p> <p>21 A. We had discussed me moving more</p> <p>22 into a broker role.</p> <p>23 Q. But what about -- specifically</p> | <p style="text-align: right;">Page 141</p> <p>1 A. Because I started on the team in</p> <p>2 July 2014, so I was three years in and</p> <p>3 still an account executive.</p> <p>4 Q. Okay. So after this lunch --</p> <p>5 well, actually, let me go to this, the</p> <p>6 comment you made about the -- about --</p> <p>7 you said that there had been no female</p> <p>8 broker hired.</p> <p>9 A. Uh-huh. I believe at that</p> <p>10 lunch, Corey had brought up too that he</p> <p>11 had heard that I and maybe the women were</p> <p>12 concerned that women weren't getting the</p> <p>13 same opportunities as the men.</p> <p>14 Q. You said you believe he said</p> <p>15 that?</p> <p>16 A. Yeah. I kept a journal and had</p> <p>17 that noted when I reread it.</p> <p>18 Q. And -- okay. But I was asking</p> <p>19 you about your comment when you said</p> <p>20 about the -- nobody being hired -- no</p> <p>21 women being hired as brokers.</p> <p>22 A. Right.</p> <p>23 Q. Do you know of any women who</p> |
| <p style="text-align: right;">Page 140</p> <p>1 about that lunch made you think that</p> <p>2 that -- I mean, that this was the day</p> <p>3 that this was going to happen?</p> <p>4 A. I cannot remember. I can't</p> <p>5 remember.</p> <p>6 Q. Okay. So after you made this</p> <p>7 comment about that there had not been a</p> <p>8 female broker hired, are you saying that</p> <p>9 they then turned -- Mr. Daugherty then</p> <p>10 turned around and said, "Oh, well you can</p> <p>11 become an inside broker"?</p> <p>12 A. The way that I recall is he</p> <p>13 said, "When we get back to the office,</p> <p>14 I'll get with Rusty and see what we need</p> <p>15 to get going." Oh, because I -- I think</p> <p>16 I asked like at some point if I was going</p> <p>17 to be promoted or when would I be</p> <p>18 promoted.</p> <p>19 Q. And that --</p> <p>20 A. That's how I recall it.</p> <p>21 Q. And during the lunch, you did?</p> <p>22 A. Yes. Yeah.</p> <p>23 Q. Okay.</p> | <p style="text-align: right;">Page 142</p> <p>1 applied to be brokers during that time</p> <p>2 frame that you were at CRC?</p> <p>3 A. At CRC?</p> <p>4 Q. Before this lunch, before you</p> <p>5 made this comment.</p> <p>6 A. Oh. I'm not sure.</p> <p>7 Q. So you don't know if anyone --</p> <p>8 any women had applied for a broker</p> <p>9 position in the last number of years, how</p> <p>10 ever long it was, before you had this</p> <p>11 lunch?</p> <p>12 A. Correct. But I knew there were</p> <p>13 many qualified women within the</p> <p>14 department that could have been inside</p> <p>15 brokers.</p> <p>16 Q. Okay. Did any of those women</p> <p>17 tell you that they had applied to become</p> <p>18 an inside broker at the time of this</p> <p>19 lunch?</p> <p>20 A. No. I don't remember if they --</p> <p>21 if they did.</p> <p>22 Q. Who were the other female</p> <p>23 brokers?</p> |

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| <p style="text-align: right;">Page 143</p> <p>1 A. In the department?</p> <p>2 Q. Uh-huh. At that time.</p> <p>3 A. Cathy Reeves and Susan Phillips.</p> <p>4 Q. Susan Phillips?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Was Betsy there when you worked</p> <p>7 there?</p> <p>8 A. I had worked with her when I was</p> <p>9 on the audit, when I was in audit, but</p> <p>10 she had retired when I got there.</p> <p>11 Q. Do you know her last name?</p> <p>12 A. Barnette.</p> <p>13 Q. Barnette. And the -- I think</p> <p>14 you said Cathy Reeves was an inside</p> <p>15 broker. Is that right?</p> <p>16 A. Correct.</p> <p>17 Q. And Susan Phillips was a lead</p> <p>18 broker; correct?</p> <p>19 A. I believe senior broker, yes.</p> <p>20 She wasn't -- I don't believe -- I guess</p> <p>21 she was when I came in their department.</p> <p>22 Their team got combined at some point.</p> <p>23 Q. And what had been Ms. Barnette's</p> | <p style="text-align: right;">Page 145</p> <p>1 Q. Do you know whether or not Mr.</p> <p>2 Daugherty had a noncompete agreement?</p> <p>3 A. Not the same one, I believe. I</p> <p>4 think he said he had signed -- his was</p> <p>5 the original when he became a broker.</p> <p>6 And then Corey, Rusty, and Clay, one at a</p> <p>7 time on different occasions, asked me if</p> <p>8 I was getting it reviewed by an attorney.</p> <p>9 And I was not until the three of them</p> <p>10 asked me that, and I felt that maybe I</p> <p>11 should.</p> <p>12 Q. So they encouraged you to have</p> <p>13 the agreement looked at by an attorney?</p> <p>14 A. I wouldn't say encouraged.</p> <p>15 Q. But they were the one who --</p> <p>16 they were the ones who first put the idea</p> <p>17 in your head that --</p> <p>18 A. Yeah. It said it on there, I</p> <p>19 think, that you can have it reviewed by</p> <p>20 an attorney.</p> <p>21 Q. That you can have it reviewed.</p> <p>22 A. You can.</p> <p>23 Q. Right?</p> |
| <p style="text-align: right;">Page 144</p> <p>1 role?</p> <p>2 A. She started the department, the</p> <p>3 professional liability department at CRC.</p> <p>4 Q. Do you know who Corey first</p> <p>5 worked for when he came to the</p> <p>6 professional liability department at CRC?</p> <p>7 A. I believe Betsy.</p> <p>8 Q. So you said that at the end of</p> <p>9 this lunch conversation, that Mr.</p> <p>10 Daugherty had said that he would get back</p> <p>11 to the office and get something started?</p> <p>12 A. The paperwork.</p> <p>13 Q. Okay. And then what's the next</p> <p>14 thing that happened in your transition to</p> <p>15 an inside broker position?</p> <p>16 A. I had to sign an employment</p> <p>17 agreement with a noncompete. I remember</p> <p>18 Corey saying that that was one of the</p> <p>19 only problems with being promoted to</p> <p>20 broker would be that I have to sign a</p> <p>21 noncompete. I don't think it would have</p> <p>22 been considered a problem for any of the</p> <p>23 men.</p> | <p style="text-align: right;">Page 146</p> <p>1 A. Yes.</p> <p>2 Q. And they asked you if you were</p> <p>3 going to get it reviewed by an attorney.</p> <p>4 Is that right?</p> <p>5 A. I believe so, yes.</p> <p>6 Q. Do you -- have you ever seen</p> <p>7 Clay's noncompete agreement? Clay</p> <p>8 Segrest.</p> <p>9 A. No.</p> <p>10 Q. You don't know what the terms</p> <p>11 are of it?</p> <p>12 A. I don't.</p> <p>13 Q. Okay. Which male employee do</p> <p>14 you think -- you said it wouldn't be --</p> <p>15 it wouldn't be a problem for a man. What</p> <p>16 did you mean by that?</p> <p>17 A. Corey Woodward transferred from</p> <p>18 property. I imagine it was just</p> <p>19 something he needed to do, probably not</p> <p>20 considered a problem. I didn't</p> <p>21 understand why it would be a problem. I</p> <p>22 was looking at it as an opportunity with</p> <p>23 CRC.</p> |

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| <p style="text-align: right;">Page 147</p> <p>1 Q. Okay. Well, I guess maybe I'm 2 confused by the testimony. You -- you 3 said that Corey told you that was the 4 only problem with becoming a broker was 5 that you would be subject to a noncompet 6 agreement. Is that right? 7 A. I feel like I -- yeah. I think 8 that I remember it like that. 9 Q. Okay. All right. And when 10 you -- 11 A. And he wasn't saying it -- it 12 was just in passing. 13 Q. Okay. 14 A. It wasn't a -- 15 Q. And you said that you didn't 16 think it would be a problem for a man. 17 And I took that to mean that you thought 18 men didn't have to sign noncompet 19 agreements. Is that not what you were 20 trying to say? 21 A. No. 22 Q. Okay. What did you mean by it 23 wouldn't have been a problem for a man?</p> | <p style="text-align: right;">Page 149</p> <p>1 Q. Actually, while we're talking 2 about that, let me go ahead and mark that 3 as an exhibit. I'm showing you what has 4 been marked as Defendant's Exhibit 9. 5 (Defendant's Exhibit 9 was marked for 6 identification and is attached.) 7 (Witness reviews document.) 8 Q. Okay. And on page 10 of this 9 document, is that your signature? 10 A. Looks like it. 11 Q. Okay. And it looks like Jack 12 Elliott signed this. 13 A. He had been promoted. 14 Q. Okay. All right. I don't -- 15 I'm not asking you anything you talked 16 about with any lawyer, but did you have 17 an attorney review this before you signed 18 it? 19 A. I did. 20 Q. Who was that lawyer? 21 A. John Saxon. 22 Q. Did you make any edits to the 23 agreement before you signed it?</p> |
| <p style="text-align: right;">Page 148</p> <p>1 A. I don't think Corey would have 2 seen it as a problem for a man. 3 Q. Why? Why do you say that? 4 A. Because it just was part of 5 becoming a broker. I mean,. 6 Q. Okay. Well, I -- I guess what 7 I -- I've been trying to figure out what 8 about that -- 9 A. I thought it was -- 10 Q. -- what about that comment you 11 took to mean -- to have anything to do 12 with gender. 13 A. I felt like it was to deter me 14 from wanting -- 15 Q. Okay. 16 A. -- the broker. 17 Q. That was just a feeling that you 18 had? 19 A. Yes. 20 Q. All right. So you signed the 21 noncompet agreement. And then what 22 happened? 23 A. And then --</p> | <p style="text-align: right;">Page 150</p> <p>1 A. I don't believe I did. 2 Q. Did you talk with Mr. Daugherty 3 about what your compensation was going to 4 look like when you became an inside 5 broker? 6 A. No, not at the time. 7 Q. Did you negotiate your pay in 8 that position? 9 A. Not at the time. 10 Q. Did you at any time -- 11 A. No. 12 Q. -- after becoming an inside 13 broker? 14 A. No. 15 Q. Okay. I'm showing you what I've 16 marked as Defendant's Exhibit 10, okay, 17 which I'll submit to you is a copy of 18 your performance evaluation for 2017. 19 And if I look at page 3 of the exhibit, 20 which is Bates-labeled 29 -- 21 A. Okay. 22 Q. -- under the comments at the 23 bottom of the page, it says that,</p> |

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| <p style="text-align: right;">Page 151</p> <p>1 "Effective 1/1/2018 Kathryn moved into an 2 Inside Broker role on our team and has 3 been working diligently to learn more 4 about the sales process and assist in new 5 business production and retention of 6 existing clients and book." 7 Do you feel like that's an 8 accurate statement? 9 (Defendant's Exhibit 10 was marked for 10 identification and is attached.) 11 A. It is. But I was thinking it 12 meant to market business, I believe, at 13 this time. Or this might have been after 14 he had already assigned -- did he -- no. 15 I don't think he had given the new 16 assignment yet. 17 (Witness reviews document.) 18 A. "Has an assigned group of retail 19 relationships." So those were the 20 accounts that I was responsible for being 21 an account executive that were assigned 22 to me. 23 Q. Okay. So that -- is it the</p> | <p style="text-align: right;">Page 153</p> <p>1 you -- when did you realize that there 2 was a difference between your 3 expectations and the reality of what your 4 job was going to look like as an inside 5 broker? 6 A. We had a group meeting, and he 7 handed out the new agency splits, and my 8 list was longer than it had been. So I 9 was looking at more administrative work 10 than before. And Andrea even commented 11 on it. 12 Q. Okay. And what -- when was that 13 meeting, roughly? 14 A. I think it was -- it was January 15 or February 2018. It was after Tiffany 16 had joined the team. 17 Q. So you had been -- but you had 18 been an inside broker at that point for 19 -- well, no. I guess this says effective 20 January 1st, 2018. So you were not an 21 inside broker in 2017? 22 A. I thought I was promoted -- I 23 thought it was November.</p> |
| <p style="text-align: right;">Page 152</p> <p>1 second sentence that you're not sure 2 about, "She now has an assigned group of 3 retail relationships in addition to 4 helping me with new business placements 5 for existing clients"? 6 A. Yeah. 7 Q. And you're not sure about it 8 because of the timing? 9 A. Right. And I thought that when 10 I was assigned, it would be as an inside 11 broker, not reassigned different agents 12 to do the account executive work on. 13 Q. Okay. When you -- so this 14 assignment of group retail relationships, 15 is that what you're saying, you did not 16 think that that was going to be part of 17 your job as an inside broker? Is that 18 the part -- the part you're talking 19 about? 20 A. I guess I misunderstood what 21 "assigned" meant, what role I was going 22 to be assigned, what part of the. 23 Q. Okay. Well, after -- when did</p> | <p style="text-align: right;">Page 154</p> <p>1 Q. So end of 2017, beginning of 2 2018? 3 A. Correct. 4 Q. Okay. And there was -- there 5 was a meeting in January or February of 6 2018 after Tiff- -- Tiffany Sanders had 7 been hired. 8 A. Right. 9 Q. Is that right? 10 And -- and at that meeting, Mr. 11 Daugherty provided a new list of the 12 accounts. And you -- it's your testimony 13 that that -- your list had more than you 14 had had as an account executive? 15 A. I believe it did. 16 Q. Okay. And did you have any 17 conversations with Mr. Daugherty at that 18 point to say, "Hey, this is not what 19 I" -- "I didn't think the inside broker 20 job was going to be like this"? 21 A. Andrea asked the question 22 immediately, "Why does she have more 23 accounts now?"</p> |

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| <p style="text-align: right;">Page 155</p> <p>1 Q. Did you have any discussions 2 with Mr. Daugherty at that point to say 3 that -- you know, to tell him that this 4 was not what you were expecting? 5 A. No. Because I trusted him and 6 thought he must have seen and known 7 something that maybe I had been unaware 8 of. 9 Q. And the comment on the next page 10 says, "Continued" -- opportunities for 11 growth, "Continued focus around coverage 12 and products in the marketplace. 13 Potential RPLU designation." 14 Do you know what that is? 15 A. I do. 16 Q. What is that? 17 A. I can't remember what the R 18 stands for, but it's Professional 19 Liability Underwriter. 20 Q. Was that anything you ever 21 pursued? 22 A. I had started to pursue it. I 23 was exempt from one or two parts because</p> | <p style="text-align: right;">Page 157</p> <p>1 now is working for Tyler. And -- 2 Q. And was Tyler on George 3 Bennett's team? 4 A. No. He was on Rusty's team. So 5 it transferred the revenue. 6 Q. Who else was on Mr. Bennett's 7 team? 8 A. Denisa Lovoy, she went to 9 Rusty's team at well. Lee McClure might 10 have been on there. 11 THE COURT REPORTER: What was 12 the name? 13 THE WITNESS: Lee McClure. 14 A. I can't remember if he was on 15 George's team at that time. 16 Q. Okay. So you said her job had 17 changed because she had changed the team 18 that she was working on? 19 A. The broker that she was working 20 for and the team, yeah. But they were -- 21 a lot of -- I mean, they -- she had 22 worked on the account. She had helped 23 grow the book of business with George.</p> |
| <p style="text-align: right;">Page 156</p> <p>1 of classes I took in college. There was 2 -- I don't know. I think it was an 3 11-part test maybe. It was a big 4 undertaking. 5 Q. Okay. Did you ever take any 6 courses to -- to obtain that designation? 7 MS. PALMER: Object to the form. 8 A. I don't think I started in any 9 of the courses, but we -- the department 10 had copies of the books. I think I had 11 started looking at the books. 12 Q. Okay. Did you have any 13 discussions with Cathy Reeves prior to 14 becoming an inside broker about what her 15 job looked like or what her duties were? 16 A. I'm sure I did. 17 Q. Okay. You don't recall anything 18 specifically, though, that she told you 19 about the job? 20 A. Her job had changed when I -- 21 because her -- George Bennett, she worked 22 -- she was his inside broker, and he left 23 and gave his book to Tyler. So she then</p> | <p style="text-align: right;">Page 158</p> <p>1 Q. Well, I'm just wondering if at 2 any point in time before you told Mr. 3 Daugherty that you were interested in the 4 inside broker position if you went to her 5 and said: "Hey, what do you do as an 6 inside broker? I'm thinking about moving 7 into that position." 8 A. I'm sure I had a conversation 9 with her, but I can't recall what it was. 10 Q. What did she tell you? 11 MS. PALMER: Object to the form. 12 A. I really can't remember. 13 Q. Okay. Well, I mean, you don't 14 remember her saying: "Oh, once you 15 become an inside broker, you don't have 16 administrative duties anymore. You only 17 have to market business"? 18 A. No. And I knew I would have 19 some administrative duties, just not be 20 assigned a full 'nother -- 21 Q. And how many administrative 22 duties were you expecting to have? 23 A. I didn't have an expectation,</p> |

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| <p style="text-align: right;">Page 159</p> <p>1 really.</p> <p>2 MS. BARLOTTA: All right. It's</p> <p>3 12:00 -- almost 12:30. Do y'all want to</p> <p>4 break for lunch?</p> <p>5 MS. WILKINSON: Whatever you</p> <p>6 want to do.</p> <p>7 MS. BARLOTTA: Well, I can -- we</p> <p>8 can keep going. I mean, I don't -- I</p> <p>9 mean, we -- I will -- I mean, I do want</p> <p>10 to break for lunch at some point. I</p> <p>11 mean, she -- this one has to, you know,</p> <p>12 eat, so.</p> <p>13 MS. WILKINSON: Let's go ahead</p> <p>14 and go because I need to get up and move</p> <p>15 around --</p> <p>16 MS. BARLOTTA: Okay.</p> <p>17 MS. WILKINSON: -- a little bit.</p> <p>18 MS. BARLOTTA: All right.</p> <p>19 MS. WILKINSON: That would be</p> <p>20 good. How long do you want to break for?</p> <p>21 THE VIDEOGRAPHER: We're going</p> <p>22 off the record at 12:25.</p> <p>23 (Break taken.)</p> | <p style="text-align: right;">Page 161</p> <p>1 recollection as to when you started</p> <p>2 working in the professional liability</p> <p>3 department on the production side?</p> <p>4 A. I believe so.</p> <p>5 Q. I'm showing you what I've marked</p> <p>6 as Defendant's Exhibit 12. This is a</p> <p>7 performance -- a 2018 performance review</p> <p>8 that we -- the defendants produced in</p> <p>9 this case as part of your personnel</p> <p>10 records. Do you recall receiving</p> <p>11 performance evaluations from Mr.</p> <p>12 Daugherty?</p> <p>13 (Defendant's Exhibit 12 was marked for</p> <p>14 identification and is attached.)</p> <p>15 A. Yeah. They would be in Workday.</p> <p>16 Q. And would you pull them up and</p> <p>17 review them and electronically sign them?</p> <p>18 A. I believe so.</p> <p>19 Q. I want to look with you at page</p> <p>20 3 of Defendant's Exhibit 12 on the 2018</p> <p>21 goals where it says, "Kat has continued</p> <p>22 to develop in her role as Inside Broker</p> <p>23 and is starting to actively get more</p> |
| <p style="text-align: right;">Page 160</p> <p>1 THE VIDEOGRAPHER: We're going</p> <p>2 back on the record at 1:19.</p> <p>3 Q. (By Ms. Barlotta) I'll show you</p> <p>4 what I've marked as Defendant's Exhibit</p> <p>5 11, which is a little bit out of our</p> <p>6 chronological order that we've been</p> <p>7 trying to follow, but I wanted to get</p> <p>8 this date on the record. So I'll</p> <p>9 represent to you, Ms. Hendrix, this is an</p> <p>10 e-mail that was produced by the</p> <p>11 defendants dated May 3rd -- 30th, 2014,</p> <p>12 from Darren Masier. Do you know who that</p> <p>13 person is?</p> <p>14 (Defendant's Exhibit 11 was marked for</p> <p>15 identification and is attached.)</p> <p>16 A. I don't.</p> <p>17 Q. It -- but the e-mail states:</p> <p>18 "Kathryn Hendrix will be transferring</p> <p>19 from Jack Elliott's team to Corey</p> <p>20 Daugherty's team in Birmingham, AL as an</p> <p>21 Account Executive. She will be starting</p> <p>22 on July 21, 2014."</p> <p>23 Is that consistent with your</p> | <p style="text-align: right;">Page 162</p> <p>1 involved in the" -- I believe that's a</p> <p>2 typo, but it's supposed to be "in the</p> <p>3 brokering and negotiation of new business</p> <p>4 and renewals." Do you agree with that</p> <p>5 statement?</p> <p>6 A. Yeah. Yeah.</p> <p>7 Q. Okay. And, "Will lean on her</p> <p>8 heavily in 2019 in this role to help</p> <p>9 drive year over year growth."</p> <p>10 Did you understand he was going</p> <p>11 to rely on you in 2019 to help drive</p> <p>12 year-over-year growth?</p> <p>13 A. That's what I understood.</p> <p>14 Q. Okay. And he said you were</p> <p>15 "extremely organized and her computer" --</p> <p>16 and your computer skills were</p> <p>17 exceptional. Would you agree with that?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. You had referenced fairly</p> <p>20 early in the deposition that you had --</p> <p>21 believe that you had been discriminated</p> <p>22 against when working at CRC. How do you</p> <p>23 feel like you were discriminated against?</p> |

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| <p style="text-align: right;">Page 163</p> <p>1 A. Just not treated the same as the 2 men. 3 Q. In what ways were you not 4 treated the same? 5 A. I would be left off of some 6 dinners. I was being required account 7 executive duties that none of the other 8 male brokers were. 9 Q. Anything else? 10 A. Opportunities, I didn't get as 11 many opportunities. 12 Q. Opportunities for what? 13 A. Referral business. And Corey 14 kept using Clay to send some referrals 15 to. 16 Q. Anything else? 17 A. I was left out of some carrier 18 events. 19 Q. Okay. Anything else? 20 A. Not that I can think of right 21 now. 22 Q. Okay. Well, is there anything 23 that would help you recall any other ways</p> | <p style="text-align: right;">Page 165</p> <p>1 over there one time when she didn't want 2 to drive home. It wasn't hosted by 3 underwriters. 4 Q. Did you invite other women to 5 stay -- 6 A. Yeah. 7 Q. -- stay at home? 8 A. I was friends with -- not stay, 9 but -- 10 Q. Stay overnight if you had a late 11 night and they didn't want to drive home 12 because they had been drinking? 13 A. I think Mandy just did that one 14 time. I can't remember another time. 15 Q. Did you ever invite any men to 16 stay over at your house? 17 A. No. Christy Smith stayed over 18 one night. 19 Q. Was there any reason that you 20 didn't make that invitation to any of the 21 men that you worked with, that if they 22 needed a place to stay, that they could 23 stay at your house?</p> |
| <p style="text-align: right;">Page 164</p> <p>1 in which you were discriminated against? 2 A. I think the massive amount of 3 administrative work was the big thing 4 that I was feeling. Most of the other 5 women were, too. I wasn't the only one 6 that was having a problem. 7 Q. Okay. 8 A. And since we specialize in 9 employment practice liability, I started 10 to realize -- I learned what gender bias 11 was and unconscious bias. And so I was 12 able to see those differences. Like we 13 went on one trip where Cor- -- so Corey, 14 Clay -- and I mean, I wouldn't have gone, 15 I'm -- I don't -- I don't know if I would 16 have. But they all didn't stay with the 17 rest of the group on a trip. They went 18 back to Corey's lake house or Rusty's 19 lake house to spend the night as a group. 20 Q. Did you ever have women stay -- 21 that you work with stay over at your 22 house? 23 A. I did. I think Mandy stayed</p> | <p style="text-align: right;">Page 166</p> <p>1 A. They were married men, most of 2 them were, ma'am. 3 Q. And the men who stayed at the 4 lake house, were they married? 5 A. I'm not sure. 6 Q. All right. What dinners do you 7 contend that you were excluded from? 8 A. I think there was ones I didn't 9 know about because I would have been 10 excluded. It's -- at first, it happened 11 more often when I became -- when I first 12 became an inside broker. Then me and 13 some other women started bringing it to 14 their attention that we were being left 15 out when -- and so they started inviting 16 all women to all events once I was 17 promoted into a broker position and 18 included. So I felt that that was -- 19 Q. When did that happen, that you 20 started getting invited to all the 21 events? Roughly. I'm not looking for a 22 specific date. 23 A. Maybe in 2018. I'm -- I'm not</p> |

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| <p style="text-align: right;">Page 167</p> <p>1 sure.</p> <p>2 Q. Okay. And whose attention did</p> <p>3 you bring that issue to?</p> <p>4 A. I am -- I know I talked to Clay</p> <p>5 about it. I think we maybe had a</p> <p>6 conversation around Tyler about it.</p> <p>7 Because Tyler made the comment that he</p> <p>8 believes in equity, so he tries to send</p> <p>9 all the e-mails to everybody.</p> <p>10 Q. So you're not -- what role was</p> <p>11 Tyler in at the time of this</p> <p>12 conversation?</p> <p>13 A. Associate broker.</p> <p>14 Q. And was Clay also an associate</p> <p>15 broker at the time you talked to him</p> <p>16 about this?</p> <p>17 A. Yes.</p> <p>18 Q. Anybody else that you recall</p> <p>19 bringing it to their attention that you</p> <p>20 thought that women had been excluded from</p> <p>21 dinners?</p> <p>22 A. I'm not sure.</p> <p>23 Q. What was the purpose of the</p> | <p style="text-align: right;">Page 169</p> <p>1 A. When Jonathan Morgan was hired</p> <p>2 as an inside broker.</p> <p>3 Q. Do you have any knowledge about</p> <p>4 what he did on a day-to-day basis?</p> <p>5 A. No.</p> <p>6 Q. No?</p> <p>7 A. He had -- he was new when he --</p> <p>8 I had left. We weren't there that long</p> <p>9 together.</p> <p>10 Q. Okay. But I just want to make</p> <p>11 sure, you -- you don't know what he did</p> <p>12 on a day-to-day basis in terms of</p> <p>13 performing account executive duties or</p> <p>14 not?</p> <p>15 A. I remember having one</p> <p>16 conversation with him where he sent</p> <p>17 something to Danielle to send to the</p> <p>18 agent and Danielle sent it back to him --</p> <p>19 she was the account executive on the</p> <p>20 team -- to do.</p> <p>21 Q. She said: "I'm not doing it.</p> <p>22 You do it yourself"?</p> <p>23 A. I think so.</p> |
| <p style="text-align: right;">Page 168</p> <p>1 dinners?</p> <p>2 A. Most of them were with</p> <p>3 underwriters, to develop relationships</p> <p>4 with the carriers.</p> <p>5 Q. So, would it be CRC was hosting</p> <p>6 the dinner or the underwriter was hosting</p> <p>7 the dinner?</p> <p>8 A. The underwriter, most of the</p> <p>9 time.</p> <p>10 Q. Meaning not CRC was hosting the</p> <p>11 dinner?</p> <p>12 A. Right.</p> <p>13 Q. And the underwriters would be in</p> <p>14 charge of who got invited, would they</p> <p>15 not?</p> <p>16 A. Right, so.</p> <p>17 Q. All right. You said you were</p> <p>18 being required to do account executive --</p> <p>19 account -- account executive duties that</p> <p>20 male brokers were not expected to do.</p> <p>21 Who -- were there any other male inside</p> <p>22 brokers during the time period that you</p> <p>23 worked there?</p> | <p style="text-align: right;">Page 170</p> <p>1 THE COURT REPORTER: I'm sorry?</p> <p>2 THE WITNESS: I think so.</p> <p>3 Q. And did you get that information</p> <p>4 from him or from Danielle?</p> <p>5 A. I think from him.</p> <p>6 Q. Okay.</p> <p>7 A. She worked out of Mississippi.</p> <p>8 Q. Okay. So as far as you know, he</p> <p>9 did not have an account executive doing</p> <p>10 any duties for him?</p> <p>11 A. I -- yeah, I don't know.</p> <p>12 Q. Okay. What other -- which other</p> <p>13 male brokers did you have firsthand</p> <p>14 knowledge about what they were doing on a</p> <p>15 day-to-day basis?</p> <p>16 A. I would say I had more knowledge</p> <p>17 of things they weren't having to do.</p> <p>18 Q. And how did you get that</p> <p>19 knowledge?</p> <p>20 A. Because I talked to the other</p> <p>21 women about it.</p> <p>22 Q. And which men are you talking</p> <p>23 about specifically?</p> |

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| <p style="text-align: right;">Page 171</p> <p>1 A. Clay would be an example, Tyler.</p> <p>2 Q. Do you know how long Mr. Segrest</p> <p>3 had been in the professional liability</p> <p>4 department?</p> <p>5 A. 2009 maybe.</p> <p>6 Q. And what about Tyler? And let</p> <p>7 -- strike that.</p> <p>8 What is Tyler's full name?</p> <p>9 A. O'Connor, Tyler O'Connor.</p> <p>10 Q. How long had he been with the</p> <p>11 professional liability department?</p> <p>12 A. Maybe a little longer than Clay.</p> <p>13 I'm not positive.</p> <p>14 Q. Okay. So, did I understand your</p> <p>15 testimony to be that you talked with</p> <p>16 women who worked with Mr. Segrest and Mr.</p> <p>17 O'Connor who told you that they were not</p> <p>18 doing account executive duties?</p> <p>19 A. I was Clay's account executive</p> <p>20 for the first, what, three years, so I</p> <p>21 was very aware that he was not going to</p> <p>22 type a quote. And then Cathy Reeves was</p> <p>23 starting to get more put on her from</p> | <p style="text-align: right;">Page 173</p> <p>1 my job and what was his.</p> <p>2 Q. Did he do binders?</p> <p>3 A. No. Only if he had to, maybe.</p> <p>4 Not a lot. I mean, it would be if he was</p> <p>5 in a -- there wasn't another account</p> <p>6 executive there to do it for him.</p> <p>7 Q. Okay. Did you have an objection</p> <p>8 to -- when you were an account executive,</p> <p>9 did you have an objection to doing that</p> <p>10 work for him?</p> <p>11 A. Not all of the work, but he used</p> <p>12 me as his secretary as well, so, doing</p> <p>13 his printing.</p> <p>14 Q. What kind of printing?</p> <p>15 A. The marketing stuff.</p> <p>16 Q. Oh. How often did you do that?</p> <p>17 A. Not -- I mean, it wasn't a daily</p> <p>18 or even weekly thing. If he was going to</p> <p>19 visit an agent.</p> <p>20 Q. Okay. What else did you do that</p> <p>21 you considered to be secretarial? What</p> <p>22 else did you do for Mr. Segrest that you</p> <p>23 considered to be secretarial?</p> |
| <p style="text-align: right;">Page 172</p> <p>1 Tyler that was account executive. She --</p> <p>2 I think she had been to Rusty about</p> <p>3 Denisa, that she wasn't helping her with</p> <p>4 the accounts. But I don't think she</p> <p>5 received any help, so.</p> <p>6 Q. Okay.</p> <p>7 A. She was waiting for retirement.</p> <p>8 Q. When you say the first -- you</p> <p>9 were Clay's account executive for the</p> <p>10 first three -- three years, are you</p> <p>11 talking about the time period when</p> <p>12 your -- you had the account executive job</p> <p>13 title?</p> <p>14 A. Right.</p> <p>15 Q. Okay.</p> <p>16 A. Yeah. So that's how I knew he</p> <p>17 wasn't doing account executive duties.</p> <p>18 Q. Okay. So, is your testimony</p> <p>19 that he would never do a quote or a loss</p> <p>20 run?</p> <p>21 A. He might do a loss run every</p> <p>22 once in a while, but for the most part,</p> <p>23 no. He was very distinct about what was</p> | <p style="text-align: right;">Page 174</p> <p>1 A. He would send me e-mails from</p> <p>2 his desk to attach in the computer system</p> <p>3 that he was sitting in front of.</p> <p>4 Q. And that bothered you that he</p> <p>5 asked you to do that?</p> <p>6 A. Yeah. At that -- it got to the</p> <p>7 point that, yeah, I went to Corey about</p> <p>8 it and told him.</p> <p>9 Q. Did Mr. Daugherty ever ask you</p> <p>10 to do that?</p> <p>11 A. Yes.</p> <p>12 Q. Did it bother you when he asked</p> <p>13 you to do it?</p> <p>14 A. No.</p> <p>15 Q. Anything else secretarial-wise</p> <p>16 that you felt like you had to do for Mr.</p> <p>17 Segrest?</p> <p>18 A. I can't think of anything right</p> <p>19 now.</p> <p>20 Q. So when you went to Mr.</p> <p>21 Daugherty and said that you were bothered</p> <p>22 by Mr. Segrest sending you these e-mails</p> <p>23 and asking you to attach them in the</p> |

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| <p style="text-align: right;">Page 175</p> <p>1 computer system, what was his response to 2 you? 3 A. I remember him saying, "Well, I 4 know that he's appreciative of you doing 5 those things while he's on the road." 6 And I said: "He's not on the road. He 7 is sitting at his desk in there and 8 sending them to me." 9 And I think I -- the time period 10 I went to Corey was once I had received 11 my promotion, but they hadn't hired a new 12 account executive to do Clay's work, so I 13 was still doing it all and -- while they 14 were waiting for a new account executive 15 to start and take on his workload. 16 Q. Okay. 17 A. And my workload. 18 Q. All right. But -- okay. Back 19 to my question. After you -- after you 20 said that to Mr. Daugherty, did he -- you 21 said, "No, he's in his office," and he 22 said: "Well, that's too bad. You need 23 to keep doing it"? Or did he say, "No,</p> | <p style="text-align: right;">Page 177</p> <p>1 executives told you that they had made 2 complaints that they didn't want to do -- 3 A. Well, Yvette just she were -- 4 she went to Corey and said, "I'm not 5 going to work with Clay anymore." 6 Q. And what did she say happened as 7 a result of that? 8 A. She wasn't working with Clay 9 anymore. 10 Q. Did she tell you why she didn't 11 want to work with Clay? 12 A. He speaks down to people. It's 13 -- it's condescending, a little. 14 Q. Is that why you didn't like 15 doing his work? 16 A. Some. 17 Q. Okay. Any other reasons? 18 A. He wasn't doing anything. 19 Q. And what do you mean, he wasn't 20 doing anything? 21 A. He didn't have anything to work 22 on. He wasn't out bringing new business 23 in.</p> |
| <p style="text-align: right;">Page 176</p> <p>1 you don't have to worry about that"? 2 A. No. He told me I needed to keep 3 doing it until we had somebody hired for 4 Clay. 5 Q. Did you have a problem with that 6 plan? 7 A. I was discouraged, I believe, 8 because I think at the time they hadn't 9 even found anybody to hire yet. 10 Q. How long did it take to do this 11 attach -- this attachment to the system? 12 A. It didn't -- it wasn't a long 13 process, but it was things would pile up 14 and -- for different files and. 15 I think I was the -- I know I 16 was the second, maybe third account 17 executive that went to Corey about Clay, 18 and Yvette had said she wouldn't do his 19 account executive work anymore early on. 20 Q. And you know that because they 21 -- they told you that? 22 A. Yes. 23 Q. The other female account</p> | <p style="text-align: right;">Page 178</p> <p>1 Q. Well, did you sit in his office 2 all day and look -- I mean, observe what 3 he was doing? 4 A. No. 5 Q. Okay. Did you -- he -- is your 6 testimony he never traveled? 7 A. He traveled occasionally, I 8 mean,. Not as much as I thought 9 inside -- I mean, associate brokers did 10 travel. 11 Q. How much did you think an 12 associate broker should travel? 13 A. They could travel as much as 14 they wanted, I believe, so. By not 15 traveling, you weren't out seeking new 16 business. 17 Q. Well, so, did you have an idea 18 in your mind about how often an associate 19 broker should travel? Is that once a 20 week? A couple of times a month? 21 A. However much they chose to 22 travel. 23 Q. So it varied. Would you --</p> |

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| <p style="text-align: right;">Page 179</p> <p>1 would that be fair to say? It varied --</p> <p>2 A. Yeah.</p> <p>3 Q. -- by the person how much they</p> <p>4 traveled?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Is that a yes?</p> <p>7 A. Yes. Sorry.</p> <p>8 Q. Associate brokers also make</p> <p>9 phone calls to people?</p> <p>10 A. They do.</p> <p>11 Q. All right. So, what -- what --</p> <p>12 so Tyler O'Connor, you said that he</p> <p>13 didn't have to do -- I think he was the</p> <p>14 other person you just identified that you</p> <p>15 said did not have to do the</p> <p>16 administrative duties.</p> <p>17 A. Uh-huh.</p> <p>18 Q. Is that right?</p> <p>19 A. Correct.</p> <p>20 Q. And you learned that information</p> <p>21 by talking to Cathy Reeves?</p> <p>22 A. I believe so. And Brandi, I</p> <p>23 think, had said that.</p> | <p style="text-align: right;">Page 181</p> <p>1 know she did go to him some -- about some</p> <p>2 things. I'm not --</p> <p>3 Q. Did she tell you whether or not</p> <p>4 that issue ever got resolved?</p> <p>5 A. It didn't while I was there.</p> <p>6 Q. Is Ms. Reeves still working</p> <p>7 there, or do you know?</p> <p>8 A. I think she's retired.</p> <p>9 Q. Is Mr. O'Connor still there, as</p> <p>10 far as you know?</p> <p>11 A. As far as I know.</p> <p>12 Q. Do you know when Ms. Reeves</p> <p>13 retired?</p> <p>14 A. No.</p> <p>15 Q. Okay. Any other male CRC</p> <p>16 brokers that you contend did not have to</p> <p>17 do account executive duties? We talked</p> <p>18 about Mr. Segrest, and we've talked about</p> <p>19 Mr. O'Connor.</p> <p>20 A. I don't believe any of them --</p> <p>21 some of them did do some of the work, but</p> <p>22 I don't think any of them were assigned</p> <p>23 to do the work. I think they all had</p> |
| <p style="text-align: right;">Page 180</p> <p>1 Q. Do you know how often Tyler --</p> <p>2 Mr. O'Connor traveled?</p> <p>3 A. I don't.</p> <p>4 Q. Okay. And was it your</p> <p>5 interpretation that Ms. Reeves was</p> <p>6 complaining to you about having to do Mr.</p> <p>7 O'Connor's work?</p> <p>8 A. Some.</p> <p>9 Q. What do you mean by "some"?</p> <p>10 A. I mean, I guess -- yeah, I guess</p> <p>11 complaining. Some of it was about that,</p> <p>12 and then some of it was the book that was</p> <p>13 transferred to him were a lot of her</p> <p>14 agents. And how the system was set up,</p> <p>15 she couldn't log herself in as the</p> <p>16 revenue anymore because Tyler was the</p> <p>17 associate broker on Rusty's.</p> <p>18 Q. Okay. Do you know whether or</p> <p>19 not she ever tried to rectify that</p> <p>20 situation by talking to Rusty or anybody</p> <p>21 else?</p> <p>22 A. I believe she talked to Rusty.</p> <p>23 I'm not positive it was about that. I</p> | <p style="text-align: right;">Page 182</p> <p>1 account executives that were assigned.</p> <p>2 Or Amber had told me that Alex would</p> <p>3 sometimes type his quotes.</p> <p>4 Q. Well, when you became an inside</p> <p>5 broker, were you expecting to have an</p> <p>6 account executive assigned to you?</p> <p>7 A. No. I thought they'd be</p> <p>8 assigned to the agent.</p> <p>9 Q. Would it ever be accurate to say</p> <p>10 that the number of account executives</p> <p>11 that a team had would depend upon that</p> <p>12 lead broker's book of business?</p> <p>13 A. Yes.</p> <p>14 Q. Because you have to have enough</p> <p>15 revenue to support a salary for an</p> <p>16 account executive; right?</p> <p>17 A. Right. A salary and I think the</p> <p>18 overhead. I think that you had to have</p> <p>19 more than.</p> <p>20 Q. So there would be some teams</p> <p>21 that might have two or three account</p> <p>22 executives and maybe a team that might</p> <p>23 only have one?</p> |

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| <p style="text-align: right;">Page 183</p> <p>1 A. Could be. I don't know if there 2 were -- I can't think of any with just 3 one. 4 Q. Okay. Tell me -- well, let's do 5 it this way. Tell me the biggest team 6 when you were there at CRC and the 7 smallest team. 8 A. I think Rusty's team was the 9 biggest team, I think. So Rusty -- 10 MS. PALMER: I'm sorry, Rachel, 11 are we talking about in Birmingham 12 professional liability? 13 MS. BARLOTTA: Yeah. I'm sorry. 14 THE WITNESS: Okay. 15 MS. BARLOTTA: Yeah. And when 16 -- I said during the time that she was 17 in -- at CRC in the professional 18 liability department, the -- the biggest 19 team and the smallest team in terms of 20 head count and structure. 21 A. Susan and Dave maybe had more. 22 They were a combined broker team. 23 Q. Okay. And do you know roughly</p> | <p style="text-align: right;">Page 185</p> <p>1 Q. I mean, did he tell you that he 2 did account executive duties? 3 A. He was trying to start a small 4 business program within professional, and 5 so yeah, I think he did do some. 6 Q. On the Susan-Dave team that you 7 were talking about, the seven people, the 8 -- how many account executives did they 9 have? 10 A. Lauren was when she was hired, 11 and Rhonda, and then Vandalyn was a 12 broker assistant. 13 Q. Okay. McClure was -- Lee 14 McClure, he was a broker or was he an 15 associate broker? 16 A. I think his title was broker, 17 but he wasn't the coded broker for their 18 team at the time while I was there. 19 Q. And then Brandon Hays would have 20 been an associate broker? 21 A. Correct. 22 Q. Okay. One of the other ways 23 that you said you felt discriminated</p> |
| <p style="text-align: right;">Page 184</p> <p>1 how many people were on their team, 2 combined broker team? 3 A. I think it was seven: Susan, 4 Dave, Lauren, Brandon, Vandalyn, and 5 Rhonda. Six. 6 Q. Okay. 7 A. And McClure. Seven. 8 Q. Okay. 9 A. Did I say McClure? 10 Q. No, you didn't. So that would 11 be seven all together? 12 A. Uh-huh. 13 Q. And then who was the smallest 14 team? 15 A. Trey Reich maybe. 16 Q. Okay. 17 A. He -- yeah. He had one account 18 executive and an associate broker. 19 Q. Who was that associate broker? 20 A. Corey Woodward. 21 Q. You were friends with Corey 22 Woodward, weren't you? 23 A. I was. We're neighbors.</p> | <p style="text-align: right;">Page 186</p> <p>1 against was that you didn't have as many 2 opportunities for referral business, and 3 then you said that Mr. Daugherty kept 4 using Mr. Segrest to send referrals. 5 What did you -- what are you talking 6 about there? 7 A. There were times where he -- a 8 new business account would come in, and 9 he would give it to Clay. 10 Q. What accounts are you thinking 11 of? 12 A. I wouldn't be able to tell you. 13 Q. Do you know if any of those 14 accounts materialized into a policy or a 15 commission? 16 A. I am not sure. 17 Q. What carrier events were you 18 left out of? If that's different than 19 the dinners. I know we talked about the 20 dinners, but if that's something 21 different. I had that listed in my 22 notes. 23 A. There was a MedPro event.</p> |

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| <p style="text-align: right;">Page 187</p> <p>1 Q. And when was that?</p> <p>2 A. 2018 sometime, I believe, down</p> <p>3 in Sylacauga, I think. Lauren came to me</p> <p>4 one day and said that the marketing guy</p> <p>5 there had invited us -- or no. The -- an</p> <p>6 underwriter that she worked with invited</p> <p>7 us. And I was excited. And --</p> <p>8 Q. Why were you excited about that?</p> <p>9 A. Because I thought I was invited.</p> <p>10 Q. But like why did you want to go</p> <p>11 to this event?</p> <p>12 A. MedPro was a big carrier. We</p> <p>13 had a big relationship with them. They</p> <p>14 were a good partner to get to know. And</p> <p>15 then later, I found out that we had not</p> <p>16 been invited, but we could come, but we</p> <p>17 would need to get our own hotel rooms.</p> <p>18 They had the lodge.</p> <p>19 Q. And MedPro was in charge of the</p> <p>20 invite; correct?</p> <p>21 A. Right.</p> <p>22 Q. And did CRC pay for you to have</p> <p>23 a room at the lodge?</p> | <p style="text-align: right;">Page 189</p> <p>1 audited, but I didn't know what the limit</p> <p>2 was. But one time, I accidentally put</p> <p>3 everybody's room on my card, and I got a</p> <p>4 call.</p> <p>5 Q. Okay.</p> <p>6 A. And so I told her to look at the</p> <p>7 next one that was reversed under it.</p> <p>8 Q. But in terms of -- you didn't</p> <p>9 have like a set -- like you could only</p> <p>10 spend \$5,000 a year in trying to go out</p> <p>11 and get new business?</p> <p>12 A. I was never given any kind of</p> <p>13 amount.</p> <p>14 Q. Okay. All right. Any other</p> <p>15 carrier events that you felt like you had</p> <p>16 been excluded from?</p> <p>17 A. Not that I can think of. I was</p> <p>18 excluded from the first -- from the</p> <p>19 broker retreat the first year I was a</p> <p>20 broker.</p> <p>21 Q. When was that?</p> <p>22 A. Maybe in February 2018.</p> <p>23 Q. And then you went to the one in</p> |
| <p style="text-align: right;">Page 188</p> <p>1 A. Yes. I think Lee McClure paid</p> <p>2 for our rooms. He was, I believe, at the</p> <p>3 time, their top broker, so.</p> <p>4 Q. And when you say he paid for it,</p> <p>5 are you saying he paid for it out of his</p> <p>6 pocket --</p> <p>7 A. No.</p> <p>8 Q. -- or he paid for it like as an</p> <p>9 expense account?</p> <p>10 A. Expense.</p> <p>11 Q. Did you have an expense account</p> <p>12 as an inside broker?</p> <p>13 A. I did.</p> <p>14 Q. How much -- do you know how much</p> <p>15 it was?</p> <p>16 A. Well, I had a card.</p> <p>17 Q. Okay.</p> <p>18 A. I had it from audit, so I</p> <p>19 just --</p> <p>20 Q. Did you -- were you aware of any</p> <p>21 certain amount, a limit that you could or</p> <p>22 could not put on that card?</p> <p>23 A. One time, I -- I know it was</p> | <p style="text-align: right;">Page 190</p> <p>1 2019?</p> <p>2 A. Yes. I wasn't on the initial</p> <p>3 list.</p> <p>4 Q. And you had just become an</p> <p>5 inside broker in what year?</p> <p>6 A. 2017.</p> <p>7 Q. The end of 2017 --</p> <p>8 A. Right.</p> <p>9 Q. -- or beginning of 2018?</p> <p>10 A. Right. But I knew that the --</p> <p>11 well, what usually happened was the</p> <p>12 first-year brokers always went. Brandon</p> <p>13 Hays went.</p> <p>14 Q. You said Brandon Hays went in</p> <p>15 2018? Is that what you're saying?</p> <p>16 A. I believe he did.</p> <p>17 Q. Was Brandon Hays a -- was a</p> <p>18 associate broker?</p> <p>19 A. Uh-huh.</p> <p>20 Q. Is that yes?</p> <p>21 A. Yes.</p> <p>22 Q. After you -- I know we had</p> <p>23 discussed earlier about when you went to</p> |

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| <p style="text-align: right;">Page 191</p> <p>1 Mr. Daugherty about being promoted, you 2 told him that you wanted to be an inside 3 broker versus an associate broker. 4 Correct? 5 A. I believe I did at that time. 6 Q. Yeah. At any point in time 7 did you come -- after that did you come 8 back to him and say, "Actually, I want to 9 be an associate broker"? 10 A. No. But at the same lunch, I 11 mentioned that Susan had told to me she 12 had come -- went to Rusty about me 13 becoming her associate broker and was 14 told no, they had other plans for me. 15 Q. And the lunch you're mentioning 16 is the lunch you already testified to 17 that you had with Mr. Segrest and Mr. 18 Daugherty? Is it that lunch you're 19 talking about? 20 A. I believe it was. 21 Q. And now you're saying at that 22 lunch, you told Mr. -- this is the lunch 23 you thought you were going to be promoted</p> | <p style="text-align: right;">Page 193</p> <p>1 Q. And how did you hear about that 2 opportunity? 3 A. Susan told me. 4 Q. And when did she tell you about 5 that? 6 A. I want to say it was like 2016. 7 Q. Okay. What did you say when she 8 said that to you? What did -- did you 9 tell -- in 2016, did you say: "I -- 10 "I'd" -- "Yeah, I would like" -- "like to 11 come work for you, Susan. I want to be 12 on your team"? 13 A. Well, she -- they had put Lauren 14 Lindberg on her team at that point, so. 15 Q. In 2016, they had? 16 A. I think it -- I think it -- I 17 think that's how it worked, that that was 18 the timeline. I would have to 19 double-check, but I think that was it. 20 Q. But Lauren Lindberg started out 21 as an account executive, didn't she? 22 A. She did. That wasn't what she 23 was told -- she was initially told what</p> |
| <p style="text-align: right;">Page 192</p> <p>1 to inside broker. Is that right? 2 A. Yeah. 3 Q. Okay. I just want to make sure 4 we're on the same page. 5 At that lunch, it's your 6 testimony that you think that you had 7 mentioned to them that Ms. Phillips had 8 come to Rusty Hughes and said that she 9 wanted you to come to her team as an 10 associate broker? 11 A. That's what I remember. 12 Q. Why did you say that? I mean, 13 why did that get brought up in this 14 conversation? 15 A. With Corey? 16 Q. And Clay. 17 A. Because I was wondering if he 18 was going to give me a promotion. 19 Q. Okay. 20 A. So I realized when he wasn't, 21 there weren't plans for me. But I had 22 heard of an opportunity that had been 23 presented that wasn't presented to me.</p> | <p style="text-align: right;">Page 194</p> <p>1 she was going to be doing. 2 Q. Wait, you're saying that Lauren 3 Lindberg thought that she was -- she was 4 going to be -- that she was -- that she 5 was applying for and was going to be an 6 associate broker and she came there and 7 started her first day on the job and 8 figured out she -- "No, you're an account 9 executive"? 10 A. Lauren Lindberg was in the 11 property department, and she worked for a 12 broker who would regularly make comments 13 about gay people, and she was gay. One 14 of the comments was, "All gay people are 15 going to hell." So she went to John 16 Cadden and said that she was not -- she 17 needed to resign, she couldn't work there 18 anymore. And John said that there was an 19 opportunity in professional for her, a 20 broker opportunity, and if she could just 21 sit tight for a couple of weeks, he could 22 get it worked out for her. 23 And then when she moved down --</p> |

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| <p style="text-align: right;">Page 195</p> <p>1 because it was supposed to be to work for</p> <p>2 Susan -- they said that Susan wasn't</p> <p>3 retiring yet, so she would be working as</p> <p>4 Lee's account executive.</p> <p>5 Q. So, what was -- you're saying</p> <p>6 that Lauren Lindberg was in a broker</p> <p>7 position in the property department?</p> <p>8 A. Account executive.</p> <p>9 Q. She was an account executive?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Okay. So it was a lateral move</p> <p>12 for her from account executive in</p> <p>13 property to come over to Susan Phillips'</p> <p>14 team?</p> <p>15 A. I believe at the time she</p> <p>16 thought she was going to be working with</p> <p>17 Susan as an associate broker, as her</p> <p>18 associate broker.</p> <p>19 Q. Okay. And this is information</p> <p>20 you got from Lauren Lindberg?</p> <p>21 A. Uh-huh.</p> <p>22 Q. Is that a yes?</p> <p>23 A. Yes. Sorry.</p> | <p style="text-align: right;">Page 197</p> <p>1 talking about that discussion because you</p> <p>2 said that you told Mr. Segrest and Mr.</p> <p>3 Daugherty about this comment that Ms.</p> <p>4 Phillips had made to you at this lunch</p> <p>5 where you thought that you were going to</p> <p>6 be promoted to an inside broker. So --</p> <p>7 and that was in relation to my question</p> <p>8 to you -- that was in response to my</p> <p>9 question to you as to whether or not you</p> <p>10 had ever gone back to Corey Daugherty at</p> <p>11 any time and said, "I think I want to be</p> <p>12 an associate broker instead of an inside</p> <p>13 broker."</p> <p>14 A. No.</p> <p>15 Q. Did that ever happen?</p> <p>16 A. No.</p> <p>17 Q. Okay. Did you ever go to any of</p> <p>18 the other brokers within the professional</p> <p>19 liability department and express an</p> <p>20 interest in becoming an associate broker?</p> <p>21 A. I don't believe I did.</p> <p>22 Q. Did you ever go to any other --</p> <p>23 of the other brokers in the department</p> |
| <p style="text-align: right;">Page 196</p> <p>1 Q. Okay. So back to this</p> <p>2 discussion with Susan Phillips that you</p> <p>3 think happened in 2016, my question to</p> <p>4 you was, did -- when she told you, "Hey,</p> <p>5 I went to Rusty and said I want you to</p> <p>6 come to my team," did you say to her,</p> <p>7 "Yeah, I mean, I want to come to your</p> <p>8 team"?</p> <p>9 A. No.</p> <p>10 Q. Why not?</p> <p>11 A. At the time, I was thinking I</p> <p>12 was going to be moving into a broker role</p> <p>13 on Corey's team.</p> <p>14 Q. Okay. Did you ever come back to</p> <p>15 her and say, "Hey, Susan, if that</p> <p>16 opportunity comes along again, I would</p> <p>17 really like to be a broker on your team"?</p> <p>18 A. No.</p> <p>19 Q. Anything along those lines where</p> <p>20 you suggested to her that you were</p> <p>21 interested in making a move to her team?</p> <p>22 A. No.</p> <p>23 Q. Okay. So that -- we were</p> | <p style="text-align: right;">Page 198</p> <p>1 and express an interest in moving teams?</p> <p>2 A. No. I had that conversation</p> <p>3 with Mr. Helveston.</p> <p>4 Q. Okay. We're going to come back</p> <p>5 to that.</p> <p>6 All right. Are there any male</p> <p>7 employees at CRC who you contend did the</p> <p>8 same job as you but made more money?</p> <p>9 A. All the male brokers, I believe,</p> <p>10 made more than me. And maybe we had the</p> <p>11 same opportunities to go out, but I was</p> <p>12 also responsible for a lot of account</p> <p>13 executive duties. But I don't -- I don't</p> <p>14 know what -- I know I've been given Tyler</p> <p>15 and Clay, Jonathan Morgan.</p> <p>16 Q. You mean you've seen the pay</p> <p>17 that -- their pay that's been produced in</p> <p>18 this lawsuit.</p> <p>19 A. Uh-huh.</p> <p>20 Q. Is that right?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Is it your contention in</p> <p>23 this case that you should have made the</p> |

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| <p style="text-align: right;">Page 199</p> <p>1 same amount of money as Clay Segrest?</p> <p>2 A. I don't know necessarily the</p> <p>3 same, but I do believe he was getting</p> <p>4 revenue he wasn't earning.</p> <p>5 Q. Okay. But you agree he was</p> <p>6 earning revenue on account -- on some</p> <p>7 accounts that were his own?</p> <p>8 A. Sure. Yeah.</p> <p>9 Q. Did you bring any new accounts</p> <p>10 in to CRC professional liability</p> <p>11 department when you were there either as</p> <p>12 an account executive or inside broker?</p> <p>13 A. One, maybe two.</p> <p>14 Q. And what were those?</p> <p>15 A. One was from Cory Fox. He used</p> <p>16 to work at CRC.</p> <p>17 Q. Any other one?</p> <p>18 A. Not that I can think of right</p> <p>19 now.</p> <p>20 Q. Okay. Do you recall the amount</p> <p>21 of the commission on the -- the Fox piece</p> <p>22 of business?</p> <p>23 A. I think it was like an \$80,000</p> | <p style="text-align: right;">Page 201</p> <p>1 been paid the same as Mr. O'Connor?</p> <p>2 A. Not for what was being assigned</p> <p>3 me.</p> <p>4 Q. And what do you mean by that?</p> <p>5 A. That Tyler was paid a lot of</p> <p>6 money for a book that -- he did produce</p> <p>7 business, but he inherited it from</p> <p>8 George. So that revenue just went direct</p> <p>9 from George to him.</p> <p>10 Q. And you didn't work with George?</p> <p>11 A. No. George left right when I</p> <p>12 got there.</p> <p>13 Q. Did you ever discuss with</p> <p>14 Brandon Hays what he made?</p> <p>15 A. I did not.</p> <p>16 Q. Okay. And he at one point sat</p> <p>17 -- his office was next to your --</p> <p>18 A. Cubicle.</p> <p>19 Q. His cubicle was next to your</p> <p>20 cubicle. Is that right?</p> <p>21 A. Yeah.</p> <p>22 Q. Did y'all ever chat about</p> <p>23 bonuses and what he was making?</p> |
| <p style="text-align: right;">Page 200</p> <p>1 policy, so I would assume maybe \$8,000.</p> <p>2 10 percent was the norm.</p> <p>3 Q. And was that after the agent</p> <p>4 split or before? The 10 percent.</p> <p>5 A. That would be after. That would</p> <p>6 be what CRC got.</p> <p>7 Q. CRC would clear?</p> <p>8 A. Uh-huh.</p> <p>9 Q. Okay. Did you see that -- in</p> <p>10 the records that you reviewed that</p> <p>11 Jonathan Morgan made less money than you?</p> <p>12 A. Yes. He -- his bonuses were</p> <p>13 bigger than mine started.</p> <p>14 Q. And what do you recall your</p> <p>15 bonuses starting at?</p> <p>16 A. I think 5,000 was my first two.</p> <p>17 Q. Was that as an account executive</p> <p>18 or an inside broker?</p> <p>19 A. Account executive.</p> <p>20 Q. Okay. As an inside broker, were</p> <p>21 your bonuses bigger than Mr. Morgan's?</p> <p>22 A. Yes. He just had started.</p> <p>23 Q. Do you contend you should have</p> | <p style="text-align: right;">Page 202</p> <p>1 A. No. I remember one time -- when</p> <p>2 he got his first bonus, him being excited</p> <p>3 about it.</p> <p>4 Q. But he didn't tell you how much</p> <p>5 it was?</p> <p>6 A. No. But I knew he hadn't</p> <p>7 written a policy, nor was he doing any</p> <p>8 account executive.</p> <p>9 Q. Well, if his testimony in this</p> <p>10 case was that his first bonus was less</p> <p>11 than 5,000, would you have any reason to</p> <p>12 dispute that?</p> <p>13 MS. PALMER: Object to the form.</p> <p>14 A. I don't think so. He didn't get</p> <p>15 one the first time, I believe.</p> <p>16 Q. Okay. Did you have an</p> <p>17 understanding that the associate broker's</p> <p>18 bonus was based upon the revenue that</p> <p>19 they brought in?</p> <p>20 A. What I understood?</p> <p>21 Q. Yes.</p> <p>22 A. Uh-huh.</p> <p>23 Q. Is that a yes?</p> |

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| <p style="text-align: right;">Page 203</p> <p>1 A. Yes.</p> <p>2 Q. Okay.</p> <p>3 A. Sorry.</p> <p>4 Q. And you might have testified to</p> <p>5 this, so I'm sorry if I'm making you</p> <p>6 repeat yourself. But did you say what</p> <p>7 team Mr. Morgan work on -- worked on?</p> <p>8 A. Truitt Taylor's team.</p> <p>9 Q. Were you aware that Mr. Taylor's</p> <p>10 team was looking to hire an associate</p> <p>11 broker?</p> <p>12 A. Maybe it was his second or third</p> <p>13 he'd been through. He went through a lot</p> <p>14 of employees.</p> <p>15 Q. Okay.</p> <p>16 A. I would not have wanted to work</p> <p>17 for him.</p> <p>18 Q. Okay. What about when Mr. Hays</p> <p>19 was hired, were you aware that Dave</p> <p>20 Sloneker and Susan Phillips were looking</p> <p>21 for an associate broker?</p> <p>22 A. I was.</p> <p>23 Q. Did you express an interest in</p> | <p style="text-align: right;">Page 205</p> <p>1 -- got a client because somebody saw them</p> <p>2 on the website?</p> <p>3 A. I am not sure. I'm sure it</p> <p>4 happened.</p> <p>5 Q. How are you sure it happened?</p> <p>6 A. Well, I would -- I would bet</p> <p>7 that it happened, but I wouldn't be able</p> <p>8 to --</p> <p>9 Q. That would be an assumption?</p> <p>10 A. Correct.</p> <p>11 Q. I mean, -- I mean, you -- you</p> <p>12 saw how Mr. Daugherty worked to develop</p> <p>13 client relationships; right?</p> <p>14 A. I did. Corey helped Betsy</p> <p>15 develop a lot of the relation- -- or some</p> <p>16 of the relationships for his book.</p> <p>17 Q. How did he go about developing</p> <p>18 clients?</p> <p>19 A. Developing, growing the book of</p> <p>20 business?</p> <p>21 Q. Yeah. Getting relationships</p> <p>22 with agencies so you all could quote</p> <p>23 policies and --</p> |
| <p style="text-align: right;">Page 204</p> <p>1 taking that position?</p> <p>2 A. No. Because I was told that I</p> <p>3 was going to be Corey's inside broker at</p> <p>4 that time, I believe.</p> <p>5 Q. Okay. Did you ever ask anyone</p> <p>6 at CRC if you could be added to the</p> <p>7 website?</p> <p>8 A. Not that I can recall.</p> <p>9 Q. Did you want to be on the</p> <p>10 website?</p> <p>11 A. If brokers were -- yeah. It</p> <p>12 would have benefitted me to be on the</p> <p>13 website.</p> <p>14 Q. How so?</p> <p>15 A. When people look up CRC looking</p> <p>16 for a broker --</p> <p>17 Q. Okay.</p> <p>18 A. -- my name would have been</p> <p>19 there.</p> <p>20 Q. Was there a reason you didn't</p> <p>21 ask if you wanted to be on it?</p> <p>22 A. No.</p> <p>23 Q. Do you know of anybody who got</p> | <p style="text-align: right;">Page 206</p> <p>1 A. He --</p> <p>2 Q. -- find coverage.</p> <p>3 A. New agencies, I feel like,</p> <p>4 usually came to him through referrals.</p> <p>5 Q. From other clients that were</p> <p>6 happy with the services that he had</p> <p>7 provided?</p> <p>8 A. Or other brokers, property and</p> <p>9 casualty brokers.</p> <p>10 Q. And anything else that you saw</p> <p>11 him do to grow his book of business?</p> <p>12 A. He just knew the coverages. He</p> <p>13 was an expert in the coverages he was</p> <p>14 working on.</p> <p>15 Q. Did he travel and visit people?</p> <p>16 A. He did.</p> <p>17 Q. How often was he on the road?</p> <p>18 A. I'm not sure.</p> <p>19 Q. Okay. Well, I mean, you worked</p> <p>20 with him for several years. Do you have</p> <p>21 an estimate of how often he would --</p> <p>22 A. Well, sometimes he would be on a</p> <p>23 carrier trip. Sometimes he'd be at the</p> |

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| <p style="text-align: right;">Page 207</p> <p>1 lake. So it wasn't necessarily on an</p> <p>2 agency visit if he wasn't at the office.</p> <p>3 Maybe a couple -- three or four times a</p> <p>4 year, I feel like maybe he would.</p> <p>5 Q. Visit an agent?</p> <p>6 A. And do a couple at a time, I</p> <p>7 think --</p> <p>8 Q. Okay.</p> <p>9 A. -- maybe, in areas.</p> <p>10 Q. Okay. And you went on -- you</p> <p>11 went with him on some of those trips,</p> <p>12 didn't you?</p> <p>13 A. I did.</p> <p>14 Q. Did you ask to go on those</p> <p>15 trips, or did he -- did he bring that</p> <p>16 opportunity to you?</p> <p>17 A. The specific opportunities, he</p> <p>18 brought to me. I believe I communicated</p> <p>19 to him that I'd like to be included on</p> <p>20 more sales calls.</p> <p>21 Q. Did you enjoy traveling with him</p> <p>22 to see --</p> <p>23 A. Yes.</p> | <p style="text-align: right;">Page 209</p> <p>1 A. I didn't.</p> <p>2 Q. Why not?</p> <p>3 A. I'm not sure.</p> <p>4 Q. Because you knew the marketing</p> <p>5 department was there on the site;</p> <p>6 correct?</p> <p>7 A. Correct.</p> <p>8 Q. Were you aware that there was a</p> <p>9 form on the intranet that you could fill</p> <p>10 out if you wanted to --</p> <p>11 MS. PALMER: Object to the form.</p> <p>12 Q. -- put a bio on the -- on the</p> <p>13 website or you wanted to make changes to</p> <p>14 a bio?</p> <p>15 A. I wasn't.</p> <p>16 THE COURT REPORTER: I'm sorry?</p> <p>17 THE WITNESS: I wasn't.</p> <p>18 Q. Did you ever go looking for</p> <p>19 that?</p> <p>20 A. Not that I can remember.</p> <p>21 Q. Did anyone at CRC tell you what</p> <p>22 your signature block on your e-mails had</p> <p>23 to look like?</p> |
| <p style="text-align: right;">Page 208</p> <p>1 Q. -- business associates?</p> <p>2 A. Yeah.</p> <p>3 Q. Okay. How often did you look at</p> <p>4 the website for CRC?</p> <p>5 A. I don't know. The brokers?</p> <p>6 Q. Yes.</p> <p>7 A. I wouldn't be able to tell you.</p> <p>8 Q. Okay. Well, I'm just saying,</p> <p>9 were you trying to keep tabs of when</p> <p>10 people were on there and when they</p> <p>11 weren't?</p> <p>12 A. No. But my -- I have an audit</p> <p>13 background, so there was no rhyme or</p> <p>14 reason, and so I didn't understand why --</p> <p>15 why some people were excluded, some</p> <p>16 people were added the day that they were</p> <p>17 hired.</p> <p>18 Q. Who do you think was added the</p> <p>19 day that they were hired?</p> <p>20 A. Jonathan Morgan maybe, I think.</p> <p>21 Q. Did you ever go ask him and say,</p> <p>22 "Hey, how did you get on the website so</p> <p>23 fast?"</p> | <p style="text-align: right;">Page 210</p> <p>1 A. They sent out a standard one at</p> <p>2 some point, a --</p> <p>3 Q. Who is "they"?</p> <p>4 A. -- a template. Or it was</p> <p>5 available on the intranet maybe.</p> <p>6 Q. Who -- who is "they"?</p> <p>7 A. Who would have? I can't</p> <p>8 remember who was in charge of creating</p> <p>9 them.</p> <p>10 Q. Okay. Did you have any concerns</p> <p>11 about listing your job title as inside</p> <p>12 broker on your signature block?</p> <p>13 A. No.</p> <p>14 Q. Did you want to list your title</p> <p>15 as associate broker or broker instead of</p> <p>16 inside broker?</p> <p>17 A. No.</p> <p>18 Q. When you first came to work on</p> <p>19 the professional liability side as an</p> <p>20 account executive, where was your</p> <p>21 workspace?</p> <p>22 A. A cubicle over by Andrea's on</p> <p>23 our team.</p> |

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| <p style="text-align: right;">Page 211</p> <p>1 Q. Did you have that same space the</p> <p>2 whole time?</p> <p>3 A. No.</p> <p>4 Q. When did it change?</p> <p>5 A. When they hired Tiffany for</p> <p>6 Clay, so I moved so Clay could have her</p> <p>7 closer.</p> <p>8 Q. So that would have been in 2018?</p> <p>9 A. I believe so.</p> <p>10 Q. Did you have any objections to</p> <p>11 moving your -- your cubicle?</p> <p>12 A. At first, it was set up to where</p> <p>13 the wires were where my feet would go.</p> <p>14 And I remember showing it to Corey, and</p> <p>15 he said, "Do you think it would bother</p> <p>16 you?" I said yes.</p> <p>17 So I went to Brandi because</p> <p>18 that's who they told me to go to to talk</p> <p>19 about getting it reversed so that I could</p> <p>20 have my feet on the other side. And she</p> <p>21 said that they had tried in the past, but</p> <p>22 they would have to get BB&T's approval</p> <p>23 and made it sound like it wasn't going to</p> | <p style="text-align: right;">Page 213</p> <p>1 identification and is attached.)</p> <p>2 A. Same day -- yeah, I was still</p> <p>3 sitting there. Yes.</p> <p>4 Q. Is that yes? Okay.</p> <p>5 Was -- so, was this after the</p> <p>6 wires were moved?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. So if I'm looking at the</p> <p>9 first page -- no. Excuse me. I'm</p> <p>10 looking at the second page.</p> <p>11 A. The wires weren't moved. The</p> <p>12 desk was moved.</p> <p>13 Q. The desk was moved. Okay. But</p> <p>14 it was your -- is your testimony that</p> <p>15 when you initially were assigned this --</p> <p>16 this cubicle where we -- where I see that</p> <p>17 blue in the picture in the bottom</p> <p>18 right-hand corner, that was where your</p> <p>19 feet would have gone?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And then you went to --</p> <p>22 you showed that to Mr. Daugherty.</p> <p>23 A. Uh-huh.</p> |
| <p style="text-align: right;">Page 212</p> <p>1 happen. But I said: "Okay. Who do I</p> <p>2 need to go to to get BB&T's approval?"</p> <p>3 So we ended up getting it, and they</p> <p>4 reversed it.</p> <p>5 Q. Who's Brandi?</p> <p>6 A. Brandi worked for Rusty.</p> <p>7 Q. Do you know her last name?</p> <p>8 A. Is it Russell?</p> <p>9 Q. Okay.</p> <p>10 A. I believe.</p> <p>11 Q. Did -- did she have some sort of</p> <p>12 like an office manager-type role?</p> <p>13 A. No. But she did some of that</p> <p>14 stuff for Rusty because he was the</p> <p>15 manager of the department.</p> <p>16 Q. Okay. Okay. I'm showing you</p> <p>17 what I'll mark as Defendant's Exhibit 13.</p> <p>18 And I believe these are photos that we --</p> <p>19 that your attorneys produced to us.</p> <p>20 Do these photos reflect your</p> <p>21 office space at CRC as of the time that</p> <p>22 you left your employment there in 2019?</p> <p>23 (Defendant's Exhibit 13 was marked for</p> | <p style="text-align: right;">Page 214</p> <p>1 Q. Is that right?</p> <p>2 A. Yes.</p> <p>3 Q. And he said that they would try</p> <p>4 to -- try to get it changed?</p> <p>5 A. Yes.</p> <p>6 Q. And did he go to Ms. Russell or</p> <p>7 did you go to Ms. Russell?</p> <p>8 A. I believe I did.</p> <p>9 Q. And then she said BB&T would</p> <p>10 have to get it approved?</p> <p>11 A. Yes. So she sent me to Cindy</p> <p>12 Scott.</p> <p>13 Q. Okay. And who's Cindy Scott?</p> <p>14 A. Cindy had been with CRC for</p> <p>15 years. I'm not sure what her title was.</p> <p>16 Q. Okay.</p> <p>17 A. She didn't work for a producer</p> <p>18 team.</p> <p>19 Q. Okay. And did she approve</p> <p>20 having the wires moved?</p> <p>21 A. She --</p> <p>22 MS. PALMER: Object to form.</p> <p>23 A. -- said the same thing Brandi</p> |

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| <p style="text-align: right;">Page 215</p> <p>1 did, that we would have to contact BB&T</p> <p>2 in order to have it moved. And so I</p> <p>3 asked her to please go on and do that.</p> <p>4 Q. Okay. Did she -- well, I don't</p> <p>5 know. Do you know if she did that or</p> <p>6 not?</p> <p>7 A. She did.</p> <p>8 Q. Okay. Do you know when you took</p> <p>9 these pictures?</p> <p>10 A. I see my calendar says November.</p> <p>11 I am not positive the date, but it would</p> <p>12 -- I would have it in my picture.</p> <p>13 Q. Okay. Okay. You had referenced</p> <p>14 in your testimony earlier that -- a</p> <p>15 conversation with Mr. Helveston, and I</p> <p>16 said we were going to come back to that,</p> <p>17 so that was -- I want to come back to</p> <p>18 that now.</p> <p>19 A. Okay.</p> <p>20 Q. Tell me about that conversation.</p> <p>21 How did it come -- first of all, how did</p> <p>22 it come about?</p> <p>23 A. Ms. Helveston was with my mom</p> | <p style="text-align: right;">Page 217</p> <p>1 Q. Okay.</p> <p>2 A. That's how I remember it.</p> <p>3 Q. Okay. How -- did he call you?</p> <p>4 A. Yes, on my desk phone, I</p> <p>5 believe.</p> <p>6 Q. And tell me about that initial</p> <p>7 conversation that you had with him.</p> <p>8 A. On the phone?</p> <p>9 Q. Yes. On the desk phone, yes.</p> <p>10 A. Okay. I think he said: "I hear</p> <p>11 you're having some issues. Do you want</p> <p>12 to grab breakfast so we can talk about</p> <p>13 it?" And I said yes.</p> <p>14 MS. PALMER: Rachel, would this</p> <p>15 be a good time to take a quick break?</p> <p>16 MS. BARLOTTA: Oh, yeah. That's</p> <p>17 fine. Sure.</p> <p>18 THE VIDEOGRAPHER: We're going</p> <p>19 off the record at 2:29.</p> <p>20 (Break taken.)</p> <p>21 THE VIDEOGRAPHER: We're going</p> <p>22 back on the record at 2:48.</p> <p>23 Q. (By Ms. Barlotta) All right.</p> |
| <p style="text-align: right;">Page 216</p> <p>1 somewhere, and she asked how I was liking</p> <p>2 it and if I was doing well. And my mom</p> <p>3 said, "It's horrible." And she said,</p> <p>4 "Why?" She said, "The good old boys</p> <p>5 aren't letting her have the opportunities</p> <p>6 that they have." She said she would get</p> <p>7 Bubba to reach out to me, Mr. Helveston.</p> <p>8 So he called me to schedule a breakfast,</p> <p>9 and then we went to that breakfast.</p> <p>10 Q. Okay. So just to recap, you had</p> <p>11 made a complaint to your mother about</p> <p>12 your work environment. Your mother, in</p> <p>13 some social setting with Ms. Helveston,</p> <p>14 relays that you are unhappy with your</p> <p>15 work environment, that you're calling it</p> <p>16 a good old boys club. Ms. Helveston says</p> <p>17 she's going to let her husband know and</p> <p>18 he'll reach out to you. And then Mr.</p> <p>19 Helveston reached out to you and set up a</p> <p>20 breakfast meeting.</p> <p>21 A. Yes.</p> <p>22 Q. Is that right?</p> <p>23 A. Yes.</p> | <p style="text-align: right;">Page 218</p> <p>1 Before we took a break, we were about to</p> <p>2 talk about -- or we were -- were talking</p> <p>3 about, excuse me, the conversation that</p> <p>4 you had with Mr. Helveston. And we had</p> <p>5 talked about that he had reached out to</p> <p>6 you by phone at work and had scheduled a</p> <p>7 meeting with you, a breakfast meeting</p> <p>8 with you. Is that right?</p> <p>9 A. Right. I had told my mom it was</p> <p>10 okay for her to let Ms. Helveston know I</p> <p>11 was having issues. I had asked her</p> <p>12 before that to not because I was trying</p> <p>13 to figure a way out.</p> <p>14 Q. Okay.</p> <p>15 A. To handle it.</p> <p>16 Q. Okay. What would be the reason</p> <p>17 that you wouldn't have reached out to Mr.</p> <p>18 Helveston directly yourself instead of</p> <p>19 relying on your mom?</p> <p>20 A. I was still wanting to be a</p> <p>21 broker. So I think I thought it was</p> <p>22 better if he called me to set it up as</p> <p>23 opposed to me calling him.</p> |

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| <p style="text-align: right;">Page 219</p> <p>1 Q. But you knew how to get ahold of</p> <p>2 him if you needed to; correct?</p> <p>3 A. I could have figured it out, I'm</p> <p>4 sure.</p> <p>5 Q. When you say you were still</p> <p>6 wanting to be a broker, at this point in</p> <p>7 time you were an inside broker. Is that</p> <p>8 correct?</p> <p>9 A. I had the title.</p> <p>10 Q. And in what way do you contend</p> <p>11 that you were not an inside broker as of</p> <p>12 the time you had a conversation with Mr.</p> <p>13 Helveston?</p> <p>14 A. Why I felt that way?</p> <p>15 Q. Sure. You can phrase it that</p> <p>16 way.</p> <p>17 A. Little things were happening.</p> <p>18 One of the agencies that he had assigned</p> <p>19 me to, I had gone to him -- he finally</p> <p>20 reassigned Yvette to be the account</p> <p>21 executive.</p> <p>22 Q. And is "he" Mr. Daugherty?</p> <p>23 A. I'm sorry. Yes, Mr. Daugherty.</p> | <p style="text-align: right;">Page 221</p> <p>1 it was -- would be Yvette Talsma who</p> <p>2 has -- was sending you quotes to handle?</p> <p>3 A. I believe, and binders maybe.</p> <p>4 Q. And binders to handle. And that</p> <p>5 when you complained to Mr. Daugherty</p> <p>6 about that issue, he said you should work</p> <p>7 it out with her?</p> <p>8 A. Well, I clarified if that's what</p> <p>9 it was supposed to be. He said yes, and</p> <p>10 then he said he would like me to work --</p> <p>11 us to work it out.</p> <p>12 Q. He clarified that you -- as an</p> <p>13 inside broker, she should be doing that</p> <p>14 for you, you should not be doing that for</p> <p>15 her?</p> <p>16 A. Yes. If I needed her to do it.</p> <p>17 Q. Okay. So I just -- again, I</p> <p>18 want to make sure the record is clear.</p> <p>19 I'm not -- I'm not -- I'm not sure that</p> <p>20 it was there.</p> <p>21 If he, Mr. Daugherty, said that</p> <p>22 if you wanted to give her quotes or</p> <p>23 binders, that it was appropriate for you</p> |
| <p style="text-align: right;">Page 220</p> <p>1 Q. Okay. Go ahead.</p> <p>2 A. Now, it was my understanding</p> <p>3 that a broker could market the business</p> <p>4 and send it to the account executive to</p> <p>5 get to the agent. She was forwarding me</p> <p>6 stuff to send -- of the agents quotes to</p> <p>7 send out. And I went to Corey and asked</p> <p>8 if I understood correctly that she should</p> <p>9 be doing the quotes. He said I did, yes,</p> <p>10 that's what he wanted. And I told him I</p> <p>11 thought it needed to come from him, and</p> <p>12 he said he really wanted me to work it</p> <p>13 out between us, me and Yvette.</p> <p>14 Q. Okay. Okay. So -- okay. And I</p> <p>15 just want to make sure I'm understanding</p> <p>16 your testimony, so if I get something</p> <p>17 wrong, please correct me.</p> <p>18 A. Okay.</p> <p>19 Q. But you said that -- when I</p> <p>20 asked you about why it was you felt like</p> <p>21 you were not a broker, inside broker, and</p> <p>22 just had the title of inside broker, you</p> <p>23 said little things were happening, that</p> | <p style="text-align: right;">Page 222</p> <p>1 to do so as an inside broker?</p> <p>2 A. Correct.</p> <p>3 Q. To give that work to Ms. Talsma</p> <p>4 as an account executive?</p> <p>5 A. Correct.</p> <p>6 Q. Okay.</p> <p>7 A. She was assigned to that agency.</p> <p>8 Q. And -- but he would not -- he</p> <p>9 wanted you to tell her that. He -- he</p> <p>10 was declining to go to her and explain</p> <p>11 that that's how it should work?</p> <p>12 A. That's what I interpreted from</p> <p>13 our conversation.</p> <p>14 Q. When he said, "I want you to</p> <p>15 work it out with her"?</p> <p>16 A. I think I said, "Okay." It was</p> <p>17 -- this was around the time where I was</p> <p>18 starting to have the realization that I</p> <p>19 was not going to be given or had not been</p> <p>20 given --</p> <p>21 Q. Did you go back to Ms. Talsma</p> <p>22 and say, "Hey, I talked to Corey</p> <p>23 Daugherty and he said that really, the</p> |

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| <p style="text-align: right;">Page 223</p> <p>1 way this works now that I'm an inside 2 broker is that I can give this stuff to 3 you and he" -- "you know, he's asked me 4 to" -- "for us to come up with, you know, 5 a plan for you to do that?" Did you -- 6 did you do that? 7 A. I don't think so. 8 Q. Why not? 9 A. Yvette was the veteran on the 10 team. 11 Q. She had been there a long time. 12 She had been in the professional 13 liability department a long time. Is 14 that right? 15 A. That's right. 16 Q. So over 20 years? 17 A. Maybe over 30 now. 18 Q. Okay. But at the time that this 19 occurred -- and this would have been in 20 2019. Is that right? 21 A. Yes. I believe so. 22 Q. Okay. Do you think that she had 23 been there at least 20 years at that</p> | <p style="text-align: right;">Page 225</p> <p>1 A. They were July renewals, I 2 think. I believe it was in maybe late 3 2018, early 2019. I can't remember 4 exactly. They also had a broker chat on 5 their iPhones. 6 Q. What was the -- how do you 7 spell -- you said Bottrell? How do you 8 spell that? 9 A. I think it's B-O-T-T-R-E-L-L. 10 Fisher Bottrell. F-I-S-C-H-E-R [sic], I 11 think. 12 Q. Sorry, B-O what? 13 A. T-T-R-E-L-L. 14 Q. Okay. Okay. Okay. So yes, the 15 -- you were -- you said there was a group 16 chat? 17 A. Uh-huh. 18 Q. I think -- 19 A. Well -- 20 Q. I think I may have interrupted 21 you. I'm sorry. So, what was your 22 response about that? 23 A. We went to San Diego PLUS, me,</p> |
| <p style="text-align: right;">Page 224</p> <p>1 time? 2 A. Yes. 3 Q. Okay. All right. Anything else 4 that, as of the time that you had this 5 discussion with Mr. Helveston, you felt 6 like you were not -- you were an inside 7 broker in title only? 8 A. Mississippi school districts, I 9 had worked on those schools since I 10 started with Corey. They were with 11 Fisher Bottrell. I had collected a lot 12 of data over the years on those accounts. 13 And one of the things he did to free me 14 up was to move the Mississippi schools to 15 Clay as opposed to letting Tiffany do the 16 account executive work for me, so it 17 moved the revenue with it, too. 18 Q. When was that? 19 A. I don't know the exact date. 20 Q. Was it when Tiffany was hired? 21 A. No. 22 Q. Do you have an approximate date 23 on when that happened?</p> | <p style="text-align: right;">Page 226</p> <p>1 Brandon, Danielle, and Amber. And 2 Brandon took a picture of me, Danielle, 3 and Amber. And he said: "That's such a 4 cute picture. Do you care if I send it 5 to the broker group?" 6 I said, "What broker group?" 7 And his face kind of got red. And I 8 said, "The all-male broker group chat?" 9 There was another time that 10 Corey Woodward mentioned something to me 11 that he thought I knew and then said, 12 "I'm sorry, it was on the broker chat." 13 I don't believe Susan was on it, or 14 Cathy, though. 15 Q. Okay. So the reason that you 16 think that there was this male chat group 17 is because when Brandon Hays took a 18 picture of you and said he sent it to the 19 group chat, or the broker chat, that you 20 asked him what chat he was talking about 21 because you weren't part of it? 22 A. Right. 23 Q. Did you ever actually see any</p> |

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| <p style="text-align: right;">Page 227</p> <p>1 messages exchanged on this --</p> <p>2 A. I didn't see them, huh-uh.</p> <p>3 Q. Do you know if it was a text</p> <p>4 message group or a Snapchat group or a --</p> <p>5 A. I believe it was a text message</p> <p>6 group.</p> <p>7 Q. And why do you believe that?</p> <p>8 A. Well, I do think that I did see</p> <p>9 -- Corey Woodward showed me a picture one</p> <p>10 time when I had asked him about it. And</p> <p>11 he said, for the most part, they didn't</p> <p>12 talk about carriers and stuff, but. I</p> <p>13 said, "But that is discussed on there?"</p> <p>14 And then he showed a picture that Corey</p> <p>15 had sent him that -- had sent the group</p> <p>16 that was --</p> <p>17 Q. A picture of what?</p> <p>18 A. I think a turkey.</p> <p>19 Q. A picture that who had sent the</p> <p>20 group?</p> <p>21 A. Corey Daugherty. So it was -- I</p> <p>22 believe it was kind of a -- just a --</p> <p>23 immature boys, and that's what he --</p> | <p style="text-align: right;">Page 229</p> <p>1 Q. Okay. And how did you get that</p> <p>2 information?</p> <p>3 A. I feel like -- it wasn't a --</p> <p>4 she didn't directly say it to me. It was</p> <p>5 -- I feel like it was implied somehow.</p> <p>6 Q. What was the name of this</p> <p>7 person?</p> <p>8 A. I think it is Sarah Polling and</p> <p>9 DeVenne. And then I started to run into</p> <p>10 the same issue with Willis Chicago. We</p> <p>11 had the big account, the Somerby senior</p> <p>12 living. And so it was a lot of policies,</p> <p>13 and so -- to market them and quote, and I</p> <p>14 wasn't able to spend any time marketing.</p> <p>15 But there weren't any other brokers that</p> <p>16 didn't have somebody to send the quote to</p> <p>17 when they needed to get it out, so I was</p> <p>18 having to decide between a new business</p> <p>19 account that I could be working on or</p> <p>20 typing all the quotes and binders.</p> <p>21 There were still times that</p> <p>22 Corey would bring quotes to my desk to</p> <p>23 type up when Andrea and Yvette were</p> |
| <p style="text-align: right;">Page 228</p> <p>1 Corey was trying to communicate to me was</p> <p>2 it's nothing except sometimes, Corey</p> <p>3 Woodward.</p> <p>4 Q. Okay. And when did you -- when</p> <p>5 did you have this conversation with Mr.</p> <p>6 Woodward?</p> <p>7 A. I can't remember the exact date.</p> <p>8 Q. Your best estimate as you sit</p> <p>9 here today?</p> <p>10 A. Early 2019.</p> <p>11 Q. Okay. All right. So anything</p> <p>12 else that you -- led you to feel like you</p> <p>13 were not a broker, inside broker?</p> <p>14 A. I was doing a lot of the same</p> <p>15 jobs as all the other women. One of the</p> <p>16 things, I was being held up. I feel like</p> <p>17 one of the agents was not sending me</p> <p>18 business as fast because she knew she had</p> <p>19 to wait on me to get it processed and do</p> <p>20 that whole part too. I was picking up on</p> <p>21 that she wasn't getting -- that agency</p> <p>22 wasn't getting the attention that they</p> <p>23 needed or the service.</p> | <p style="text-align: right;">Page 230</p> <p>1 there.</p> <p>2 Q. Okay. And you were typing</p> <p>3 binders and quotes for Mr. Daugherty?</p> <p>4 A. Correct.</p> <p>5 Q. Okay. Okay. Back to your</p> <p>6 conversation with Mr. Helveston, tell me</p> <p>7 about that breakfast meeting.</p> <p>8 A. He said, "What's the issue?"</p> <p>9 And I said: "It's a discrimination. The</p> <p>10 men are not allowing the women the same</p> <p>11 opportunities as the men."</p> <p>12 Q. Okay. Anything else you said?</p> <p>13 A. He kind of took a sigh of</p> <p>14 relief, I felt, and he said, "Phew, I</p> <p>15 thought it was going to be one of those</p> <p>16 Me Too things," and didn't seem as</p> <p>17 worried. I told him that it kind of was</p> <p>18 one of those Me Too things, just not with</p> <p>19 a sexual harassment component. I wanted</p> <p>20 to be included, I wanted to be a part,</p> <p>21 and be given the same opportunities.</p> <p>22 Q. And I want to make sure that</p> <p>23 I've got your right testimony. I don't</p> |

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| <p style="text-align: right;">Page 231</p> <p>1 want to retread ground. But have you 2 told me about all the opportunities that 3 you felt like you were not given? 4 A. I -- my bonuses weren't going 5 up. They -- they were, in small 6 increments, but the same increments that 7 they were when I was an account 8 executive. 9 When -- in 2018, Corey -- we had 10 our biggest year yet. That was the first 11 year that I was an inside broker for the 12 whole year. That was the year we moved 13 the small accounts so that it could open 14 the team up to be able to work on larger 15 accounts. Corey won professional 16 liability broker of the year for 2018. 17 And then my first bonus in 2019, that 18 should have related to 2018. I believe 19 it was the same as the previous one, and 20 that communicated to me that nothing had 21 changed. 22 Q. Okay. So you thought that 23 because you were an inside broker that</p> | <p style="text-align: right;">Page 233</p> <p>1 that they were working on -- 2 A. I had -- 3 Q. -- or responsible for? 4 A. -- assumed that that's probably 5 how. 6 Q. Did -- in 2018, didn't Ms. 7 Talsma and Ms. Sutton have more accounts 8 than you? 9 A. They were account executives. 10 Yes. 11 Q. Okay. 12 A. I believe that they did. 13 Q. Were there accounts that you 14 helped Corey bring in in 2018 that you 15 somehow feel like you were not given 16 credit for? 17 A. I guess all of the new business 18 that I helped him work on. I was -- it 19 seemed like I was being paid the same as 20 when I was an account executive. 21 Q. Well, you had the ability to 22 look up that information in AIM, did you 23 not?</p> |
| <p style="text-align: right;">Page 232</p> <p>1 that would automatically translate to a 2 bigger bonus, or should have 3 automatically translated to a bigger 4 bonus? 5 A. Yeah. 6 Q. Okay. 7 A. I mean, and the team -- 8 Q. Did you not understand that it 9 was tied to revenue that you brought in? 10 A. I did. But he had to budget for 11 Clay's new account executive, her bonus 12 and salary. And Clay, he wasn't building 13 up his book of business at the time. It 14 wasn't growing. 15 Q. Okay. Other than that -- in 16 2018 and other -- other than that one 17 account that you mentioned to me, any 18 other revenue that you brought in? 19 A. Not that I can -- I helped Corey 20 bring in revenue. 21 Q. Did you understand the account 22 executives' bonuses were tied to the size 23 of accounts -- the size of the accounts</p> | <p style="text-align: right;">Page 234</p> <p>1 A. Yes. Yes, and in Dashboard. 2 Q. Okay. Was there any time that 3 you looked up in AIM or Dashboard that 4 you saw that there was an account that 5 you should have been the marketing rep on 6 that was not assigned to you? 7 A. I did not market -- I did not 8 mark the accounts that I only acted as an 9 account executive on. I put that as 10 Corey -- under Corey still because my job 11 as an inside broker, as I understood it, 12 was to work on new business, and I 13 thought that that number was supposed to 14 reflect the new business that I worked 15 on. So to get my full number, you'd have 16 to add account executive, the two 17 columns. 18 Q. But you would agree that your 19 bonus was directly tied to how much Corey 20 brought in. 21 A. Yes. 22 Q. Is that correct? 23 A. Yes.</p> |

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| <p style="text-align: right;">Page 235</p> <p>1 Q. And the different teams had -- I</p> <p>2 think you alluded to this before with the</p> <p>3 different size teams. But different</p> <p>4 teams within the professional liability</p> <p>5 department had different sizes of books</p> <p>6 of business?</p> <p>7 A. Yes.</p> <p>8 Q. And there were some that were</p> <p>9 bigger than Corey's?</p> <p>10 A. Rusty and maybe Truitt.</p> <p>11 Q. And there were some that were</p> <p>12 smaller than Corey's.</p> <p>13 A. Uh-huh.</p> <p>14 Q. Is that right?</p> <p>15 A. Yes.</p> <p>16 Q. But for whoever the account</p> <p>17 executives and brokers on those lead</p> <p>18 broker teams were, their bonuses would</p> <p>19 have been tied to how much that team</p> <p>20 brought in. Is that right?</p> <p>21 A. I'm not sure.</p> <p>22 Q. Okay. So back to your</p> <p>23 conversation with Mr. Helveston, you said</p> | <p style="text-align: right;">Page 237</p> <p>1 running with the account.</p> <p>2 Q. Can you think of any of those?</p> <p>3 A. No, I can't.</p> <p>4 Q. Okay. All right. Anything else</p> <p>5 that was discussed in the breakfast</p> <p>6 meeting with Mr. Helveston?</p> <p>7 A. He -- his response -- well, he</p> <p>8 then said, "What do you want to do?" I</p> <p>9 said I -- he said, "What do you want me</p> <p>10 to do," which caught me off guard. I was</p> <p>11 expecting the answer to be: "Not on my</p> <p>12 watch. I'll handle it." So he said --</p> <p>13 Q. You weren't expecting him to ask</p> <p>14 you what you thought would be a good</p> <p>15 resolution to the situation?</p> <p>16 A. Well, he had also said that he</p> <p>17 wouldn't be able -- he couldn't talk to</p> <p>18 them because I wouldn't be able to go</p> <p>19 work back with the same group of guys</p> <p>20 once I'd made the complaint. So I was</p> <p>21 having to realize at that time that I</p> <p>22 wasn't going to get any help.</p> <p>23 Q. When was this discussion?</p> |
| <p style="text-align: right;">Page 236</p> <p>1 that -- that you were not being allowed</p> <p>2 the same opportunities. Did you tell him</p> <p>3 -- I just asked you what those</p> <p>4 opportunities were. But did you tell him</p> <p>5 what the opportunities were?</p> <p>6 A. I can't remember if I</p> <p>7 specifically -- I know I mentioned the</p> <p>8 carrier trips. And he had the same reply</p> <p>9 that they did, that the carriers are who</p> <p>10 invite them. I thought Corey would want</p> <p>11 me to get to know his carriers and help</p> <p>12 me facilitate those relationships.</p> <p>13 Q. Okay. And is your -- your</p> <p>14 contention that he did not do that?</p> <p>15 A. He did on some, I think.</p> <p>16 Q. Which ones?</p> <p>17 A. TDC, he had -- they sent out an</p> <p>18 invite for their event, and he followed</p> <p>19 up to tell them to add Lauren and I. He</p> <p>20 either -- there were some accounts, I</p> <p>21 wouldn't be able to name them, where he</p> <p>22 did introduce me in a -- to an</p> <p>23 underwriter that I'd be -- or an agent --</p> | <p style="text-align: right;">Page 238</p> <p>1 A. It was late June 2019.</p> <p>2 He then asked if I would want to</p> <p>3 transfer teams. I said I would at that</p> <p>4 point. And I felt that that would come</p> <p>5 with a recommendation from him. If he</p> <p>6 put me on a team, that would have helped</p> <p>7 me, I believe.</p> <p>8 Q. Okay. How did the meeting end?</p> <p>9 A. He said he would think about --</p> <p>10 he was going to think about it and he'll</p> <p>11 come up with a plan and he would get back</p> <p>12 to me.</p> <p>13 Q. And what specifically were you</p> <p>14 expecting him to do as a result of that</p> <p>15 meeting?</p> <p>16 A. I think a big part of it was I</p> <p>17 never expected he'd be there without</p> <p>18 informing HR that he was meeting with</p> <p>19 someone about a complaint since we sold</p> <p>20 employment practice liability insurance.</p> <p>21 I -- I just --</p> <p>22 Q. Okay. Did you -- you didn't</p> <p>23 tell him, though, prior to that meeting</p> |

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| <p style="text-align: right;">Page 239</p> <p>1 what your complaint was going to be about 2 though, did you? 3 A. My mom had told Ms. Helveston. 4 Q. And you don't know what Ms. 5 Helveston told him? 6 A. No, I don't. 7 Q. But my question again was, what 8 did you -- what were you expecting him to 9 do? 10 A. Fix it. 11 Q. And what -- and what would he do 12 to fix it? 13 A. I'm not sure there. I -- 14 Q. Well, if the situation had been 15 fixed, what did that -- what would -- 16 what did that mean in your mind, to have 17 had it fixed? 18 A. I don't know what that looked 19 like. That's why I was asking him for 20 help. I let him know that other women 21 were having issues and had made 22 complaints to Rusty, and Rusty always 23 told them to go work it out with their</p> | <p style="text-align: right;">Page 241</p> <p>1 about what she said, what she -- what she 2 allegedly complained to Rusty about? 3 A. I think Lauren com- -- more than 4 once complained to him that she couldn't 5 market because she -- Lee was letting her 6 market a lot of his business. The plan 7 was for her to be promoted to inside 8 broker. And -- 9 Q. Okay. And again, this was the 10 information that you got from Lauren? 11 A. Correct. 12 Q. You were not present for any 13 discussions that Lauren and Rusty had? 14 A. Correct. 15 Q. You were not present for any 16 discussions that Vandalyne had with Rusty? 17 A. Correct. I had a conversation 18 with Rusty when he brought up Sarah 19 Dunston, and I guess Sarah Dunston -- I 20 don't know if she had already told me -- 21 yeah, I guess she had already told me 22 that she gave Rusty an earful to make 23 sure that he understood that women were</p> |
| <p style="text-align: right;">Page 240</p> <p>1 broker. 2 Q. And that was information you 3 heard from other women? 4 A. Yes. And saw it happen, them go 5 in his office and come out without help. 6 Q. Okay. Who -- who did you see go 7 into his office and come out without 8 help? 9 A. Lauren. I think Vandalyne, 10 because her broker told her she had to 11 have her RPLU to be promoted to account 12 executive, which none of us had. I know 13 that Mandy Pender did. She asked for -- 14 if she could transfer off of Truitt's 15 team because of the hostile work 16 environment that she was experiencing, 17 and he said no. 18 Q. Okay. And this was information 19 you got from Mandy? 20 A. Uh-huh. 21 MS. PALMER: Is that a yes? 22 A. Yes. So -- 23 Q. And what did Lauren tell you</p> | <p style="text-align: right;">Page 242</p> <p>1 having a problem. And so he said, "Now, 2 Sarah Dunston told me that the women out 3 there think that they're not getting" -- 4 or, "there's a problem." And I said that 5 I agreed and I was glad that he was 6 aware. 7 Q. Anything -- anything other than 8 he said that women were having a problem? 9 A. Not that I remember. 10 Q. Okay. When was this 11 conversation? 12 A. It was around the time that I 13 was being pro- -- I believe it was around 14 the time I was being promoted, because 15 Corey and I sat in his office and drank a 16 beer with him. 17 Q. So we're talking late 2017, 18 early 2018? 19 A. I believe so. 20 Q. All right. All right. Is there 21 any other managerial employees that you 22 contend that you complained to about 23 discrimination at CRC or BB&T?</p> |

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| <p style="text-align: right;">Page 243</p> <p>1 A. That I complained to?</p> <p>2 Q. Yes.</p> <p>3 A. I had conversations with some</p> <p>4 brokers in management positions about it.</p> <p>5 I wouldn't say I took a complaint -- I</p> <p>6 couldn't take a complaint to them.</p> <p>7 Q. What do you mean, you couldn't</p> <p>8 take a complaint to them?</p> <p>9 A. You had -- you went through your</p> <p>10 line of -- that he -- they had no</p> <p>11 management over me, so we were -- it was</p> <p>12 more of a conversation, just.</p> <p>13 Q. What do you mean, there was no</p> <p>14 management over you?</p> <p>15 A. So like Trey Reich was -- had</p> <p>16 his own broker team.</p> <p>17 Q. Okay.</p> <p>18 A. So --</p> <p>19 Q. So I just don't understand why</p> <p>20 that means you couldn't take your</p> <p>21 complaint to --</p> <p>22 A. I mean, I could com- --</p> <p>23 Q. -- anyone there.</p> | <p style="text-align: right;">Page 245</p> <p>1 A. I believe so. That's what I</p> <p>2 remember.</p> <p>3 Q. Okay. Okay. And this was</p> <p>4 something that Trey brought up to you?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. I was asking you about</p> <p>7 anybody you complained to in a management</p> <p>8 position at BB&T or CR- -- or CRC about</p> <p>9 discrimination other, obviously, than the</p> <p>10 conversation you had with Mr. Helveston.</p> <p>11 A. Right.</p> <p>12 Q. Anybody else?</p> <p>13 MS. PALMER: I'm sorry, Rachel,</p> <p>14 are we just talking about from the</p> <p>15 Helveston forward or --</p> <p>16 Q. Well, I know you -- you -- well,</p> <p>17 obviously, you have letters that your</p> <p>18 attorneys sent and -- and -- and the</p> <p>19 leave period. But let's -- yeah, let's</p> <p>20 just focus on the time period from when</p> <p>21 you were -- began working at CRC through</p> <p>22 when you had this conversation with Mr.</p> <p>23 Helveston.</p> |
| <p style="text-align: right;">Page 244</p> <p>1 A. Well, I could take my complaint</p> <p>2 to Corey or Rusty but not -- other teams</p> <p>3 managed themselves. The broker managed</p> <p>4 them.</p> <p>5 Q. Okay. But did you have any</p> <p>6 complaints with any of the other teams?</p> <p>7 Wasn't your complaint with Mr. Daugherty?</p> <p>8 A. Oh, I'm sorry. It wasn't -- it</p> <p>9 was in general of just maybe the culture,</p> <p>10 that it was -- and Trey had mentioned</p> <p>11 that they had a lunch with Betsy at</p> <p>12 Gianmarco, and she asked about</p> <p>13 opportunities not being given to women.</p> <p>14 Q. Okay. And Betsy was in charge</p> <p>15 for some period of time. Is that not</p> <p>16 right?</p> <p>17 A. Yeah. Betsy trained all of</p> <p>18 them. She started the professional</p> <p>19 liability department.</p> <p>20 Q. So this conversation that Trey</p> <p>21 was telling you about, was it -- was he</p> <p>22 saying that this conversation was after</p> <p>23 Betsy was no longer with CRC?</p> | <p style="text-align: right;">Page 246</p> <p>1 Anybody else that you brought</p> <p>2 any concerns of discrimination to that</p> <p>3 was in a management position?</p> <p>4 A. I had talked to Corey about it</p> <p>5 in the past.</p> <p>6 Q. When did you talk to Corey about</p> <p>7 it?</p> <p>8 A. That day at the lunch.</p> <p>9 Q. Okay.</p> <p>10 A. I went back to him about Clay,</p> <p>11 let him know he was treating me like his</p> <p>12 secretary.</p> <p>13 Q. Okay. And then after you had</p> <p>14 that conversation with Mr. Daugherty,</p> <p>15 then you were no longer doing Mr.</p> <p>16 Segrest's secretarial work. Is that</p> <p>17 right?</p> <p>18 A. I was until they got an account</p> <p>19 executive to take it over.</p> <p>20 Q. So Ms. Sanders?</p> <p>21 A. Yes.</p> <p>22 Q. Yeah. Okay. All right. Any</p> <p>23 other conversations that you had with Mr.</p> |

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| <p style="text-align: right;">Page 247</p> <p>1 Daugherty in which you raised concerns 2 about discrimination? 3 A. I can't recall right now. 4 Q. Okay. All right. So then after 5 you have this breakfast meeting with Mr. 6 Helveston in late June of 2019, did you 7 have any further discussions with him? 8 A. No. I went back to the office 9 and waited to hear from him. I ran into 10 him three or four times within the next 11 couple of weeks, and he never even 12 mentioned that he was working on it or 13 acknowledged that I -- we had talked 14 about it. 15 Q. Did you ask him about it? Did 16 you say, "Hey, have you thought any more 17 about what we talked about?" 18 A. I didn't. 19 Q. Why not? 20 A. He had said he would take care 21 of it. He was president of the company. 22 I was figuring he was taking care of it 23 and I would hear from him.</p> | <p style="text-align: right;">Page 249</p> <p>1 A. I had believed Corey. I had 2 believed Rusty. I had believed Mr. 3 Helveston. So I was having a hard time 4 believing John Cadden would -- 5 Q. Meaning you -- 6 A. -- change it. 7 Q. Meaning you didn't respond to 8 him? 9 A. Correct. 10 Q. Okay. And what were you doing 11 while you -- well, let me ask you this. 12 I'll show you what I've marked as 13 Defendant's Exhibit 14. 14 I understand your counsel just 15 produced a text message that you have of 16 this same text message that we -- I think 17 we got either yesterday or today. But 18 this is a text message that -- one 19 version. We produced two versions of 20 this text message in this case from Mr. 21 Cadden. And they -- I am showing the 22 date on here as being August 28th, 2019, 23 at 1:29 p.m.</p> |
| <p style="text-align: right;">Page 248</p> <p>1 Q. Okay. And then you were 2 continuing to perform your job duties? 3 A. At that time, to the best of my 4 ability. I had -- had started to realize 5 that I had given up my career, kind of, 6 there, or made it a lot more difficult 7 and that he -- four or five weeks went by 8 and I still hadn't heard from him, and I 9 just had the realization that I wasn't 10 going to get help. And I went on medical 11 leave for the next month, and I still 12 never heard from him. And then my mom 13 was having a trip or a breakfast with Ms. 14 Helveston, and she asked how I was doing, 15 and my mom told her I was out on medical 16 leave. 17 Q. Okay. Anything else? 18 A. I got a text from John Cadden 19 the next day or two saying that he had 20 talked to Ron and he wanted to talk to me 21 to see how we could work it out or fix it 22 in a way that I was comfortable with. 23 Q. Okay. Then what happened?</p> | <p style="text-align: right;">Page 250</p> <p>1 (Defendant's Exhibit 14 was marked for 2 identification and is attached.) 3 A. I don't argue that. 4 THE COURT REPORTER: I'm sorry? 5 THE WITNESS: I don't argue 6 that. 7 Q. All right. During this period 8 of time while you were on leave, what 9 were you doing? 10 A. I stayed at my parents' house 11 and -- I'm not sure. I don't know. 12 Q. Okay. Were you -- did you -- 13 had you started looking for another job? 14 A. While I was on leave? 15 Q. Yeah. 16 A. No. 17 Q. Why not? 18 A. Why wasn't I looking for another 19 job? 20 Q. Yes. 21 A. I still had one. 22 Q. Okay. Well, I guess I'm trying 23 to figure out what had been going on in</p> |

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| <p style="text-align: right;">Page 251</p> <p>1 your mind if you had been out on leave, 2 you said you were waiting for Mr. 3 Helveston to do something, you get -- you 4 get a -- John Cadden reaches out to you, 5 you don't respond, and you said you were 6 concerned about this -- the statement 7 that Mr. Helveston made that you wouldn't 8 be able to go back and work there, so it 9 seems like kind of a logical thing that 10 you might do would be to start looking 11 for a job elsewhere. 12 Did you not think that, or did 13 you -- you thought that you were going to 14 be coming back to CRC at that point in 15 time? 16 A. I was not sure. I was on 17 medical leave for -- put on it by my 18 psychiatrist and. 19 Q. Okay. Were you waiting for 20 somebody else to reach out to you other 21 than Mr. Cadden? 22 A. When I went on medical leave, I 23 thought that BB&T would reach out</p> | <p style="text-align: right;">Page 253</p> <p>1 was hard for you to go to corporate 2 because you understood that BB&T had 3 control over your salary but CRC had 4 control over your bonus. 5 A. Correct. 6 Q. So what I was trying to say is, 7 is what you meant by that that you were 8 afraid that if you went to BB&T, then 9 that CRC would retaliate against you by 10 not giving you a high bonus or as good of 11 a bonus? 12 A. I thought it could be a 13 possibility. 14 Q. Did you know of that happening 15 to anybody? 16 A. Not for going to HR. I know 17 Andrea lost her bonus one year when she 18 came to Corey's team. 19 Q. And she told you that? 20 A. Uh-huh. 21 Q. Is that a -- is that a yes? 22 A. Yes. 23 Q. And did she tell you why she</p> |
| <p style="text-align: right;">Page 252</p> <p>1 because, again, I was assuming that the 2 complaint had been brought to them. 3 Q. Did it ever occur to you to 4 reach out to anyone within the HR 5 department at BB&T? 6 A. It -- I thought about it. But 7 the -- the way it was set up, we were 8 told often that your salaries are from 9 BB&T and your bonuses are from your 10 broker, and so it made it difficult to go 11 to corporate and report someone who had 12 pure discretion over my bonus. 13 Q. Okay. So, would it be fair to 14 say that you did not go to corporate 15 because you were afraid that that would 16 negatively impact your bonus? 17 MS. PALMER: Object to the form. 18 A. I think my career. 19 Q. Okay. And your bonus? Or are 20 you changing your testimony? 21 MS. PALMER: Object to form. 22 Q. You just said, if I understood 23 your testimony correctly, that you -- it</p> | <p style="text-align: right;">Page 254</p> <p>1 thought she had lost her bonus? 2 A. They had lost some big accounts. 3 Q. Did she say that she lost it 4 because she made any sort of complaints? 5 A. No. 6 Q. Okay. I don't -- I just want 7 you to understand when I ask these 8 questions, I'm not -- I'm not asking you 9 anything that you might have talked with 10 with any attorney. Okay? But at the 11 time that Mr. Cadden reached out to you 12 in that text message that we looked at in 13 late August, had you consulted with any 14 attorneys concerning any sort of 15 discrimination concerns that you had with 16 CRC/BB&T? 17 A. No. 18 Q. Okay. I'm showing you what I 19 marked as Defendant's Exhibit 15. Is 20 Defendant's Exhibit 15 a letter that you 21 drafted and sent to BB&T corporate? 22 (Defendant's Exhibit 15 was marked for 23 identification and is attached.)</p> |

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| <p style="text-align: right;">Page 255</p> <p>1 A. Yes.</p> <p>2 Q. Is that a yes? Okay. And the</p> <p>3 date of this letter is September 2nd,</p> <p>4 2019; correct?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And it was at this time</p> <p>7 you had decided that you wanted to leave</p> <p>8 your employment with CRC?</p> <p>9 MS. PALMER: Object to form.</p> <p>10 A. I had accepted it, I think. I'm</p> <p>11 not exactly sure when I decided it.</p> <p>12 Q. Okay. But what is your -- what</p> <p>13 is your understanding of the severance?</p> <p>14 A. To -- payment in exchange for a</p> <p>15 noncompete -- I mean, a nondisclosure was</p> <p>16 the idea I was thinking, or a payment to</p> <p>17 leave the company, to part ways.</p> <p>18 Q. Okay. And that's what you were</p> <p>19 requesting in this letter; correct?</p> <p>20 A. Correct.</p> <p>21 Q. And you say in this -- this</p> <p>22 letter, "After dedicating five years of</p> <p>23 life" -- "my life to this department,</p> | <p style="text-align: right;">Page 257</p> <p>1 personal e-mail account?</p> <p>2 A. Yes.</p> <p>3 Q. Did you respond to this e-mail?</p> <p>4 A. I did not, I don't think.</p> <p>5 Q. Why not?</p> <p>6 A. I knew that if she were invest-</p> <p>7 -- take -- if she took my complaint,</p> <p>8 which I gave her enough, that I assumed</p> <p>9 it would have -- she would have gone to</p> <p>10 Rusty and Mr. Helveston, who I had</p> <p>11 assumed had the complaint that I had made</p> <p>12 to Mr. Helveston and that an</p> <p>13 investigation could be done without me.</p> <p>14 Q. Does it make sense to you that</p> <p>15 the HR department would want to talk to</p> <p>16 the actual person who was making a</p> <p>17 complaint?</p> <p>18 A. It does. I was out on medical</p> <p>19 leave, and so I.</p> <p>20 Q. Do you -- are you -- were you</p> <p>21 unable to talk on the phone while you</p> <p>22 were on medical leave?</p> <p>23 A. I could talk on the phone, but I</p> |
| <p style="text-align: right;">Page 256</p> <p>1 it's finally become clear to me that CRC</p> <p>2 Birmingham Professional Liability is not</p> <p>3 a place" -- "is not a place for me." Is</p> <p>4 that right?</p> <p>5 A. Yes.</p> <p>6 Q. I'm showing you what I've marked</p> <p>7 as Defendant's Exhibit 16. And is</p> <p>8 Defendant's Exhibit 16 an e-mail that</p> <p>9 Stefani Petty sent to you on September</p> <p>10 3rd, 2019?</p> <p>11 (Defendant's Exhibit 16 was marked for</p> <p>12 identification and is attached.)</p> <p>13 (Witness reviews document.)</p> <p>14 A. Oh, did you ask me a question?</p> <p>15 Q. Yes.</p> <p>16 A. I'm sorry.</p> <p>17 Q. Is this Defendant's Exhibit 16 a</p> <p>18 letter -- I mean, excuse me -- an e-mail</p> <p>19 that Ms. Petty sent to you on September</p> <p>20 3rd, 2019?</p> <p>21 A. It looks like it is.</p> <p>22 Q. Okay. And it's at</p> <p>23 kathryn.hendrix@gmail.com. Is that your</p> | <p style="text-align: right;">Page 258</p> <p>1 was experiencing extreme anxiety, panic</p> <p>2 attacks around CRC.</p> <p>3 Q. Okay. Were you talking to other</p> <p>4 people on the phone at this time?</p> <p>5 A. I'm sure I was.</p> <p>6 Q. And you were talking to people</p> <p>7 about your work situation, weren't you?</p> <p>8 A. I'm sure I had conversations.</p> <p>9 Q. Why didn't you respond via</p> <p>10 e-mail if you didn't want to talk to her</p> <p>11 on the phone?</p> <p>12 A. I don't remember an exact</p> <p>13 reason.</p> <p>14 Q. Or why didn't you say: "I don't</p> <p>15 feel really well enough to talk to you.</p> <p>16 Can we talk again, maybe can we connect</p> <p>17 in a couple of weeks when maybe I'll feel</p> <p>18 better?"</p> <p>19 A. At this point, I was going -- I</p> <p>20 knew that part of it would be, "Who have</p> <p>21 you told or complained to?" So I was</p> <p>22 going to have to report Ron Helveston to</p> <p>23 BB&T, and I couldn't go to work back at</p> |

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| <p style="text-align: right;">Page 259</p> <p>1 CRC after reporting Ron. I didn't feel 2 like I could. 3 Q. Okay. But no one told you that? 4 A. I was familiar with the culture 5 there. I knew how things worked. 6 Q. Well, do you know anybody who 7 made a complaint against Mr. Helveston? 8 A. I had heard of someone that had 9 in the past before I was there. 10 Q. Who -- who was this person? 11 A. I believe it was an HR director 12 or HR person. 13 Q. And who did you get this 14 information from? 15 A. I think Christy Smith told me. 16 Q. And what did she tell you about 17 this complaint? 18 A. The person from HR was -- I 19 don't know if she was let go or she left, 20 but yeah, she wasn't there after that. 21 But that's just -- I wasn't there. 22 Q. All right. And Christy wasn't 23 there, either?</p> | <p style="text-align: right;">Page 261</p> <p>1 know what he did after you spoke with him 2 about your complaint, do you? 3 A. I don't. But I -- HR would have 4 reached out to me, I believe, if he had. 5 Q. Okay. Because you're assuming 6 that -- that he should have gone to HR 7 and that would have been helping you? 8 A. He should have gone to HR 9 because he was the president of the 10 company and a woman was coming to him 11 with a discrimination complaint. 12 Q. Okay. So if -- is that what you 13 wanted him to do? You just wanted him to 14 go to HR? 15 A. I didn't know what I wanted him 16 to do, but I assumed that the president 17 of CRC would have taken my complaint and. 18 Q. But when HR finally contacts 19 you, you won't talk to them; correct? 20 A. I, at that point, would have to 21 tell them that I had already reported it 22 to Mr. Helveston. 23 Q. And you felt like that was going</p> |
| <p style="text-align: right;">Page 260</p> <p>1 A. Christy? She might have been 2 there. She worked there twice at CRC, so 3 I'm not sure if she worked there in 4 the -- 5 Q. I'm saying, did she tell you she 6 was present for any complaints that this 7 other unidentified HR person made? 8 A. No. 9 Q. And you don't know if that 10 person quit or if they were fired or what 11 happened? 12 A. Correct. 13 Q. Okay. Mr. Helveston was a close 14 family friend; correct? 15 A. Correct. 16 Q. And you -- and you felt like he, 17 despite that he was a close family friend 18 and someone that you had been close with 19 for years, would still retaliate against 20 you? 21 A. After he didn't help me with my 22 complaint, I wasn't sure. 23 Q. Okay. And to be fair, you don't</p> | <p style="text-align: right;">Page 262</p> <p>1 to get Mr. Helveston in trouble? 2 A. At the time, it should, I would 3 -- I mean, I would think that -- 4 Q. Okay. What -- what -- what I'm 5 trying to get at is your -- was the 6 concern that you didn't want to get a 7 close family friend in trouble, or was 8 your concern that -- that, you know, he 9 was -- this was somehow going to -- to -- 10 to bring retaliation upon you if you told 11 HR about Mr. Helveston? That's -- I'm -- 12 I'm -- I'm lost in there. 13 A. I think there was a lot that I 14 was concerned about. I was -- 15 Q. But with respect to Mr. 16 Helveston, you said you didn't want to 17 talk to HR because you knew that you were 18 going to have to tell HR that you had 19 previously reported this to Mr. 20 Helveston, and from your perspective, you 21 don't think that he had done anything. 22 So what I'm trying to figure out is -- 23 A. He hadn't --</p> |

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| <p style="text-align: right;">Page 263</p> <p>1 Q. -- why that -- why that was a 2 concern for you. Was it a concern 3 because you didn't want to get this close 4 family friend of yours in trouble with 5 BB&T or because you didn't want Mr. 6 Helveston to find out that he had -- you 7 had made this complaint, and therefore, 8 that you -- something bad would happen 9 with your job?</p> <p>10 A. I -- I really am not sure. This 11 -- I -- my complaint was about the whole 12 professional department. So at this 13 point, the complaint to BB&T would be 14 from me about all of those men, all the 15 men in my department and Mr. Helveston.</p> <p>16 Q. Okay. So, is that -- so, is 17 that the reason you didn't want to talk 18 to Ms. Petty from HR was because you 19 didn't want to have to talk about all of 20 the men in the department?</p> <p>21 MS. PALMER: Object to form.</p> <p>22 A. I was not in a good state of 23 mind during this time. I was having</p> | <p style="text-align: right;">Page 265</p> <p>1 HR. 2 A. Uh-huh. 3 Q. But then HR comes to you, and 4 you don't talk to them. And you say, 5 "Well, I don't want to talk to them 6 because I don't want to have to talk 7 about the department." So that's where 8 I'm getting confused. Can you help me 9 with that?</p> <p>10 A. I really am not -- I mean, 11 again, I wasn't in a good state of mind. 12 I can't remember what my thought 13 reasonings and processes were, which is 14 why I was on medical leave.</p> <p>15 Q. Okay. Let's look at Defendant's 16 Exhibit 17.</p> <p>17 MS. PALMER: Rachel, we've been 18 going another hour. Would this be a good 19 stopping point?</p> <p>20 MS. BARLOTTA: No, not right 21 now.</p> <p>22 Q. All right. I'm showing you 23 what's just been marked as Defendant's</p> |
| <p style="text-align: right;">Page 264</p> <p>1 trouble making sense of a lot of things, 2 which is part of the reason my doctor put 3 me on medical leave.</p> <p>4 Q. So, is the answer you don't know 5 why you didn't reach back out to Ms. 6 Petty?</p> <p>7 MS. PALMER: Object to form.</p> <p>8 A. I realized that Mr. Helveston 9 had not taken my complaint, so all of 10 those things were my concern.</p> <p>11 Q. What "all of those things"?</p> <p>12 A. Well, now I would have to report 13 Mr. Helveston along with the department.</p> <p>14 Q. Okay. What was the -- I mean, 15 but -- okay. Why wouldn't you want to 16 talk to HR about the department? That 17 was what you were complaining about.</p> <p>18 What I'm struggling to 19 understand, Ms. Hendrix, is that you go 20 to Mr. Helveston and you say there's 21 discrimination occurring. You wanted him 22 to do something. And you said one of the 23 things you wanted him to do was to go to</p> | <p style="text-align: right;">Page 266</p> <p>1 Exhibit 17. Do you recall that Ms. Petty 2 sent you another e-mail on September 6, 3 2019, following up again to see if she 4 could assist you with concerns that you'd 5 raised in your letter provided to 6 benefits administration? 7 (Defendant's Exhibit 17 was marked for 8 identification and is attached.)</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And did you respond to 11 this e-mail?</p> <p>12 A. I don't believe so.</p> <p>13 Q. Why not?</p> <p>14 (Witness reviews document.)</p> <p>15 A. I think I felt confident that 16 there wasn't going to be an investigation 17 at this point.</p> <p>18 Q. You felt confident there wasn't 19 going to be an investigation. And what 20 was that -- what was that confident 21 feeling based upon?</p> <p>22 A. Ron had not taken the complaint 23 to BB&T.</p> |

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| <p style="text-align: right;">Page 267</p> <p>1 Q. To your knowledge?</p> <p>2 A. So my mom had texted Ms.</p> <p>3 Helveston and -- after Cadden reached out</p> <p>4 and said that I had decided I wanted to</p> <p>5 request severance and could I send it to</p> <p>6 Mr. Helveston, and he said send it to</p> <p>7 BB&T.</p> <p>8 Q. And this was a conversation that</p> <p>9 your mother had?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Or you said -- or would it be</p> <p>12 text messages?</p> <p>13 A. I -- a message or a text</p> <p>14 message, I believe.</p> <p>15 Q. And your mom told you this? Or</p> <p>16 did you -- have you seen these text</p> <p>17 messages?</p> <p>18 A. I haven't seen them. She was</p> <p>19 communicating for me. I was not in a</p> <p>20 good state of mind to communicate with</p> <p>21 anybody.</p> <p>22 Q. Okay. So -- okay. Again, so --</p> <p>23 just so I'm clear, you said that you felt</p> | <p style="text-align: right;">Page 269</p> <p>1 to do an investigation, you did not talk</p> <p>2 to them; correct?</p> <p>3 A. Correct.</p> <p>4 Q. Okay. Were you asking your</p> <p>5 mother to communicate with the</p> <p>6 Helvestons, or was she just doing that?</p> <p>7 A. Maybe a little bit of both. I</p> <p>8 -- again, I was -- this time period is</p> <p>9 pretty fuzzy for me.</p> <p>10 Q. Okay. I'm showing you what I've</p> <p>11 marked as Defendant's Exhibit 18. And</p> <p>12 these are e-mails that we -- your</p> <p>13 attorneys produced.</p> <p>14 (Defendant's Exhibit 18 was marked for</p> <p>15 identification and is attached.)</p> <p>16 A. Looks like it.</p> <p>17 Q. Okay. So the first e-mail of</p> <p>18 this exhibit, this is the -- this e-mail</p> <p>19 that was sent to Kristina Kelley, this</p> <p>20 had the -- your -- that letter that we've</p> <p>21 already looked attached to it where it</p> <p>22 says, "Kristina, Please see attached"?</p> <p>23 A. I think so.</p> |
| <p style="text-align: right;">Page 268</p> <p>1 confident there was not going to be an</p> <p>2 investigation because your mother had</p> <p>3 reached out to the Helvestons about</p> <p>4 getting severance, and they -- the</p> <p>5 response she got back was that you should</p> <p>6 go to BB&T about that?</p> <p>7 A. Right. I couldn't send it to</p> <p>8 him. I needed to send it to BB&T.</p> <p>9 Q. Okay. And what about that made</p> <p>10 you feel like there wasn't going to be an</p> <p>11 investigation?</p> <p>12 A. Thinking -- thinking procedures</p> <p>13 were being followed, if he hadn't taken</p> <p>14 the complaint to HR and she was --</p> <p>15 Q. Okay. But -- but you took your</p> <p>16 complaint to the benefits department;</p> <p>17 right?</p> <p>18 A. After taking it --</p> <p>19 Q. Yeah.</p> <p>20 A. -- to Helves- -- I mean,</p> <p>21 before take -- yeah, after taking it to</p> <p>22 Helveston.</p> <p>23 Q. And when they reached out to you</p> | <p style="text-align: right;">Page 270</p> <p>1 Q. Okay. Did you send anything</p> <p>2 else that you know of? Any other</p> <p>3 attachments? And just for the record,</p> <p>4 Defendant's Exhibit 15 has the same date</p> <p>5 on it of September 2nd, 2019.</p> <p>6 MS. PALMER: I'm sorry. Kat, if</p> <p>7 you'll turn the page.</p> <p>8 You said first page.</p> <p>9 MS. BARLOTTA: Oh. I mean, --</p> <p>10 MS. PALMER: The e-mails --</p> <p>11 MS. BARLOTTA: Yeah, right.</p> <p>12 MS. PALMER: -- read backwards.</p> <p>13 MS. BARLOTTA: Okay. Okay.</p> <p>14 MS. PALMER: So the bottom there</p> <p>15 would be your e-mail on page --</p> <p>16 Q. (By Ms. Barlotta) So the page</p> <p>17 Bates-labeled 246 was an e-mail from you</p> <p>18 to Kristina Kelley dated September 2nd</p> <p>19 2019. And it says: "Kristina, Please</p> <p>20 see attached. My personal e-mail address</p> <p>21 is k[REDACTED] -- I think [REDACTED] is</p> <p>22 misspelled --</p> <p>23 A. Yeah.</p> |

67 (Pages 267 - 270)

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| <p style="text-align: right;">Page 271</p> <p>1 Q. -- "@gmail.com." My question 2 was, the -- do you agree that you 3 attached the letter that we looked at, 4 which was Defendant's Exhibit 15? 5 A. I don't have any reason to 6 dispute that. 7 Q. Okay. And Ms. Kristina responds 8 the very next morning to you; correct? 9 A. Correct. 10 Q. September 3rd, 2019, at 8:48 11 a.m.? 12 A. Uh-huh. 13 Q. Is that a yes? 14 A. Yes. 15 Q. And she says: Thank you for 16 reaching out. I wanted to let you know 17 that I forwarded your letter to Regional 18 Associates Relations Manager Stefani 19 Petty for review. Stefani is the HR 20 contact for your area who will be working 21 with you to address your concerns 22 regarding your work environment." 23 Is that correct?</p> | <p style="text-align: right;">Page 273</p> <p>1 this time? 2 A. Yes. 3 Q. The first paragraph, the middle 4 of the paragraph, says, "No one has 5 contacted me or my attorney concerning 6 any investigation." 7 A. Correct. 8 Q. You didn't -- you didn't 9 consider Ms. Petty reaching out to you to 10 be contacting you to attempt to conduct 11 an investigation? 12 A. She had -- after I sent her my 13 complaint, she -- I knew that she had -- 14 the information was available if she was 15 going to do an investigation. 16 Q. But you knew that it would make 17 sense for her to talk directly with you 18 about what your concerns were because the 19 only information she would have had was 20 in the letter that you sent to the 21 benefits department? 22 MS. PALMER: Object to the form. 23 A. I had taken my complaint to Mr.</p> |
| <p style="text-align: right;">Page 272</p> <p>1 A. Looks like it. 2 Q. And she gave you her phone 3 number and her e-mail address; correct? 4 A. Correct. 5 MS. PALMER: Rachel, before we 6 do another exhibit, can we -- 7 MS. BARLOTTA: Yes. All right. 8 That's fine. 9 THE VIDEOGRAPHER: We're going 10 off the record at 3:56. 11 (Break taken.) 12 THE VIDEOGRAPHER: We're going 13 back on the record at 4:08. 14 Q. (By Ms. Barlotta) All right. 15 I'm showing you what I've marked 16 Defendant's Exhibit 19. Is this a letter 17 that you sent to Stefani Petty on 18 November 22nd, 2019, resigning your 19 employment? 20 (Defendant's Exhibit 19 was marked for 21 identification and is attached.) 22 A. Yes. 23 Q. And you had retained counsel at</p> | <p style="text-align: right;">Page 274</p> <p>1 Helveston, and I. 2 Q. And is it your testimony that 3 you, in that conversation with Mr. 4 Helveston, you told him every single one 5 of your concerns about the -- your work 6 environment there at CRC? 7 A. No. But I knew that if they did 8 an investigation, they would talk to the 9 other women -- or I would assume they 10 would talk to the other women -- in the 11 department. 12 Q. But you did not provide any 13 names of people that they should talk to? 14 A. John Cadden was aware. I didn't 15 -- no, I did not provide any names. 16 Q. Did you have contact with anyone 17 at either BB&T or CRC -- well, let me 18 start the question this way. Other than 19 the e-mails that we've looked at with the 20 benefits department and with Ms. Petty, 21 did you have contact with any other 22 person at BB&T and CRC between the time 23 that you went out on medical leave and</p> |

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| <p style="text-align: right;">Page 275</p> <p>1 when you sent this letter on November</p> <p>2 22nd, 2019?</p> <p>3 A. I can't recall. I -- I could --</p> <p>4 Q. But you didn't have any</p> <p>5 discussions with anybody about your job,</p> <p>6 like what it was -- the status of it or</p> <p>7 whether you were going to come back to</p> <p>8 work or not?</p> <p>9 A. I had communicated extending my</p> <p>10 leave at different points.</p> <p>11 Q. Okay. Anybody in the office,</p> <p>12 the CRC office that you spoke to about</p> <p>13 any plans to come back to work?</p> <p>14 A. I don't think so.</p> <p>15 Q. All right. You say that -- in</p> <p>16 this letter that "BB&T has left me with</p> <p>17 no other option other than to resign my</p> <p>18 position and find subsequent employment."</p> <p>19 At this time, were you looking</p> <p>20 for subsequent employment?</p> <p>21 A. It was my intention to.</p> <p>22 Q. But you were not actually doing</p> <p>23 it at that time?</p> | <p style="text-align: right;">Page 277</p> <p>1 (Defendant's Exhibit 20 was marked for</p> <p>2 identification and is attached.)</p> <p>3 A. It looks like it.</p> <p>4 Q. And you signed this. Is that</p> <p>5 your signature on the second page?</p> <p>6 A. It looks like -- it looks like</p> <p>7 it.</p> <p>8 Q. And you had counsel at the time</p> <p>9 that you filed this charge of</p> <p>10 discrimination; correct?</p> <p>11 A. Correct.</p> <p>12 Q. I want to ask you about your</p> <p>13 allegation on the first -- in the</p> <p>14 first -- middle of the first paragraph</p> <p>15 that says that, "I asked repeatedly to be</p> <p>16 placed on an e-mail listserv that the</p> <p>17 males used to communicate leads."</p> <p>18 What e-mail listserv are you</p> <p>19 talking about?</p> <p>20 A. Birmingham professional brokers.</p> <p>21 Q. And what -- you said, "In late</p> <p>22 2017 or early 2018, I was finally added."</p> <p>23 So, is that when you became an inside</p> |
| <p style="text-align: right;">Page 276</p> <p>1 A. I don't believe so.</p> <p>2 Q. When did you start looking for</p> <p>3 subsequent employment, if you did?</p> <p>4 A. I was trying to figure out</p> <p>5 different things that I could do.</p> <p>6 QuickBooks is what I thought I would be</p> <p>7 able to do, but I'm still -- I still am</p> <p>8 and was then experiencing PTSD whenever I</p> <p>9 went to try to work on my resumé or --</p> <p>10 because my whole career was at CRC. So</p> <p>11 starting over was a hard thing for me</p> <p>12 because my career was pretty important to</p> <p>13 me.</p> <p>14 MS. BARLOTTA: Could you give me</p> <p>15 a new sheet?</p> <p>16 THE COURT REPORTER: Yeah.</p> <p>17 We're still on that one.</p> <p>18 MS. BARLOTTA: Hold on. Wait.</p> <p>19 Q. (By Ms. Barlotta) All right.</p> <p>20 I'm showing you what I marked as</p> <p>21 Defendant's Exhibit 20. Is this the EEOC</p> <p>22 charge of discrimination that you have</p> <p>23 filed against CRC?</p> | <p style="text-align: right;">Page 278</p> <p>1 broker?</p> <p>2 A. Yes.</p> <p>3 Q. What leads were communicated on</p> <p>4 that listserv?</p> <p>5 A. I wouldn't know.</p> <p>6 Q. Well, after you were added,</p> <p>7 what --</p> <p>8 A. It was used to communicate with</p> <p>9 the brokers in the department. And then</p> <p>10 once I was added, it started to create</p> <p>11 issues because other women wanted to be</p> <p>12 added that were in the account executive</p> <p>13 position, and so Cor- -- Rusty told the</p> <p>14 department that we would now be using</p> <p>15 "professional all."</p> <p>16 Q. And did "professional all"</p> <p>17 include account executives?</p> <p>18 A. Yes.</p> <p>19 Q. Are you aware of any leads that</p> <p>20 you were excluded from on this listserv?</p> <p>21 A. No.</p> <p>22 Q. Okay. Do you know of any leads</p> <p>23 on this listserv that materialized into</p> |

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| <p style="text-align: right;">Page 279</p> <p>1 business for any particular broker?</p> <p>2 A. I wouldn't know.</p> <p>3 Q. Okay. Isn't it true that the</p> <p>4 broker teams are somewhat competitive</p> <p>5 with each other in the professional</p> <p>6 liability department?</p> <p>7 A. They are.</p> <p>8 Q. Okay. I mean, you're trying to</p> <p>9 earn more money than the next team.</p> <p>10 Isn't that right?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. So if you had a good tip</p> <p>13 on a lead, you wouldn't share that with</p> <p>14 your -- another team, would you?</p> <p>15 A. They shared more than -- they</p> <p>16 communicated through it. Dinners, that's</p> <p>17 how they were planned most of the time</p> <p>18 prior. Underwriter visits.</p> <p>19 Q. Okay. But I'm asking you about</p> <p>20 leads, though. Is that -- is that what</p> <p>21 you meant in this charge? Did you mean</p> <p>22 something different than that when you</p> <p>23 said it was used to communicate leads?</p> | <p style="text-align: right;">Page 281</p> <p>1 we haven't talked about today?</p> <p>2 A. I wouldn't know which specific</p> <p>3 ones they were.</p> <p>4 Q. Okay. Anything that comes to</p> <p>5 mind as you sit here today?</p> <p>6 A. What's the question?</p> <p>7 Q. Yeah. Anything that you were --</p> <p>8 I said after that you were added to this</p> <p>9 listserv that you said that all the women</p> <p>10 got added to, was there anything after</p> <p>11 that that you can --</p> <p>12 A. They weren't added. We switched</p> <p>13 which one we used.</p> <p>14 Q. Okay. After a new one was</p> <p>15 created that included all the -- all the</p> <p>16 women?</p> <p>17 A. It was already -- it already</p> <p>18 existed, but. So communication was sent</p> <p>19 department-wide to "professional all,"</p> <p>20 and then brokers would also communicate</p> <p>21 on the broker e-mail about different</p> <p>22 broker things.</p> <p>23 Q. Okay. And it's your contention</p> |
| <p style="text-align: right;">Page 280</p> <p>1 A. I mean, maybe not specifically.</p> <p>2 Q. Okay. So you maybe didn't mean</p> <p>3 to -- "leads," to use the word "leads" in</p> <p>4 this charge? You meant to just</p> <p>5 communicate business events, that it was</p> <p>6 used to communicate business events or?</p> <p>7 A. Carrier events, coverages, I</p> <p>8 mean,.</p> <p>9 Q. Okay.</p> <p>10 A. It -- I didn't understand why,</p> <p>11 once I got added, they stopped using it.</p> <p>12 Q. Okay. Did anybody tell you why?</p> <p>13 A. I don't know if I was assuming</p> <p>14 or if they said, so that they could be</p> <p>15 fair to the department.</p> <p>16 Q. Okay. Well, after you were</p> <p>17 added, is it your contention that you</p> <p>18 were continuing to be excluded from</p> <p>19 communication about these business</p> <p>20 events?</p> <p>21 A. There would be times that I was.</p> <p>22 Q. And have you already told me</p> <p>23 about those times, or is that something</p> | <p style="text-align: right;">Page 282</p> <p>1 that once you were added to the broker</p> <p>2 e-mail that there was an instruction from</p> <p>3 Mr. Hughes that they should use</p> <p>4 "Birmingham professional all" and not the</p> <p>5 broker e-mail?</p> <p>6 A. Correct.</p> <p>7 Q. To talk about business events?</p> <p>8 A. And dinners.</p> <p>9 Q. Okay.</p> <p>10 A. It was -- I was confused what</p> <p>11 would happen, why -- why were they</p> <p>12 communicating the broker communication to</p> <p>13 the whole department now.</p> <p>14 Q. Okay.</p> <p>15 A. And --</p> <p>16 Q. All right. You were confused by</p> <p>17 it. But did you ever ask anybody, get an</p> <p>18 explanation?</p> <p>19 A. I mean, no.</p> <p>20 Q. Okay. The second page of your</p> <p>21 charge, in the middle of the page is a</p> <p>22 paragraph that says, "I've been told on</p> <p>23 at" -- "told of at least two</p> |

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| <p style="text-align: right;">Page 283</p> <p>1 opportunities (2016 and 2018) where 2 higher level brokers have 'asked' for me 3 to be moved into their team as an 4 associate broker which would have given 5 me the opportunity to move up." 6 We talked about, I believe, the 7 2016. You said that that was a 8 conversation that Ms. Phillips had told 9 you about. Is that what you were 10 referring to in this charge? 11 A. Yes. 12 Q. Okay. What was the 2018 13 opportunity? 14 A. Susan also told me that Dave 15 Sloneker had asked, when he was looking 16 for an associate broker, about me coming 17 on their team. She said that it went all 18 the way to John and that he said no. 19 Q. And did you -- and at that time 20 in 2018, did you want to move to Dave 21 Sloneker's team as an associate broker? 22 A. No. At the time, I still was 23 under the impression I was going to be</p> | <p style="text-align: right;">Page 285</p> <p>1 showed up, too, because he -- had heard 2 that I was having lunch with an agent at 3 an agency he worked for. It was very 4 embarrassing. I had gotten it 5 approved -- 6 Q. So you think he was showing up 7 there to protect his turf, so to speak -- 8 A. That is -- 9 Q. -- with that agency? 10 A. Yes. That's -- you -- rule of 11 thumb was you don't go into an agency 12 that somebody's already in. 13 Q. Did you know he was already in 14 it? 15 A. I did. And so I had gone to 16 Rusty and Corey to ask them, and they 17 both told me that it was fine. And Rusty 18 told me that hometown agencies can be 19 accessed by more than one broker. 20 Q. Okay. All right. So Cobbs, 21 Allen & Hall and Tracy Nelms. Anybody 22 else? 23 A. Not that I can think of right</p> |
| <p style="text-align: right;">Page 284</p> <p>1 able to be an inside broker and those 2 opportunities. 3 Q. Okay. After you became an 4 inside broker, did you travel more with 5 Mr. Daugherty? 6 A. Maybe a trip or two. 7 Q. Had you traveled with him when 8 you were an account executive? 9 A. I think we went to North 10 Carolina when I was an account executive. 11 I can't remember if I had been promoted 12 at that point. 13 Q. Did you plan any trips to visit 14 any prospective clients when you were an 15 inside broker? 16 A. I had drinks with a local Willis 17 agent, Tracy Nelms. 18 Q. Anything other than that that 19 you -- 20 A. I had -- 21 Q. -- planned yourself? 22 A. -- drinks with a girl from 23 Cobbs, Allen & Hall at which James Powell</p> | <p style="text-align: right;">Page 286</p> <p>1 now. 2 Q. Did you ever talk to Tiffany 3 about taking her to go visit -- call on 4 Willis? 5 A. No, I don't think so. 6 Q. Or any other client? 7 A. Tiffany was the account 8 executive on Willis, but other than that, 9 she worked for Clay. I had approached 10 him at one point to see just with the 11 idea of if he would travel, that I would 12 -- could be his inside broker too and 13 help him while he was on the road, but I 14 would need Tiffany's help in that case. 15 And by the time I got home, which was a 16 mile or two away, he had written me an 17 e-mail that was pretty condescending that 18 he had thought about it and he didn't 19 want anything -- he didn't want to make 20 any changes, so. 21 Q. Okay. Who wrote that e-mail to 22 you? 23 A. Clay.</p> |

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| <p style="text-align: right;">Page 287</p> <p>1 Q. Okay. I want to come back to 2 that e-mail in just a minute, but I want 3 to ask you this first. One of your 4 claims in this case, Ms. Hendrix, is that 5 you were retaliated against, meaning 6 that, as I understand it, that you -- you 7 contend that you were -- CRC did 8 something negative to you because you 9 made a complaint of discrimination. Can 10 you tell me what that might be? 11 A. They didn't investigate the 12 claim. 13 Q. The -- they didn't invest- -- 14 investigate the claim that you made to 15 Mr. Helveston? 16 A. Or Ms. Petty. 17 Q. Anything else? 18 A. After -- I was curious if my 19 bonuses would have continued to go up if 20 I would have remained an account 21 executive and not tried to pursue the 22 broker role, so. I don't know. 23 Q. Okay. So, are -- is it your</p> | <p style="text-align: right;">Page 289</p> <p>1 was important to have more female 2 brokers? 3 A. Yeah. 4 Q. I'm showing you what I've marked 5 as Defendant's Exhibit 21, which are 6 documents we received from your attorney. 7 And this particular group of documents 8 are, I understand, text messages that you 9 exchanged with Lauren Lindberg. And for 10 the record, these go from Hendrix Bates 11 label 00700 through 817. 12 All right. And I know you 13 testified that it's not appropriate to -- 14 you said that it was -- you were aware 15 from EPL that your work with EPL 16 coverages that Me Too lawsuits were an 17 issue and that sex discrimination 18 lawsuits were an issue. Is that right? 19 (Defendant's Exhibit 21 was marked for 20 identification and is attached.) 21 A. Yeah. 22 Q. Okay. Well, were you also aware 23 that it's against the law to discriminate</p> |
| <p style="text-align: right;">Page 288</p> <p>1 contention in the case that your bonuses 2 were lower because you asked to move to 3 an inside broker role? 4 A. No. That was just a thought. I 5 was curious. 6 Q. Okay. Okay. All right. I am 7 showing you what I've marked or what I'm 8 going to mark as Exhibit 21. And before 9 I do that, I want to ask you, was it -- 10 was it important to you that there 11 were -- that there were other female 12 brokers at CRC? 13 A. What do you mean, was it 14 important to me? 15 Q. Well, I think one -- your 16 testimony earlier was that you had made a 17 comment to Mr. Daugherty that you thought 18 it was problematic that there had not 19 been any female brokers hired. 20 A. I still think it's kind of 21 problematic. 22 Q. Okay. So that's what I'm trying 23 to get at. You wanted -- you thought it</p> | <p style="text-align: right;">Page 290</p> <p>1 based on age? 2 A. Yeah. 3 Q. If you would, look with me at 4 the page Bates-labeled 742. And just so 5 the record is clear, the text -- text 6 message boxes in gray would be Ms. 7 Lindberg's texts and your text messages 8 would be the ones in blue. 9 A. Looks like it. 10 Q. Okay. And her response to -- 11 looking at the text message dated 12 September 19th, '18, is -- not her 13 response. Her text message to you says, 14 "I think I'm going to send things other 15 than policies to Brandon tomorrow to see 16 what happens." 17 Your -- 18 A. Where are you? 19 Q. Page Bates-labeled 742. 20 A. Oh, okay. Sorry. 21 Q. The blue box, your text message 22 back to her, says: "Hell yeah. But I 23 think we need to go to Amwins Approach</p> |

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| <p style="text-align: right;">Page 291</p> <p>1 Brandon like you were throwing him a bone 2 because you can see that Dave is not 3 helping him out at all...and you are done 4 waiting on these old motherfuckers to get 5 out of the way so y'all can start making 6 a bunch of" -- emoji, money happy face. 7 "It will be worth your time to train 8 him." 9 And am I correct that the old 10 MF'er that you were talking about was 11 Dave Sloneker in this text message? 12 (Witness reviews document.) 13 A. Okay. 14 (Witness reviews document.) 15 Q. Is that correct? 16 A. I guess so. 17 Q. If you would look at a few pages 18 over at page Bates 747, starting with 19 Ms. Lindberg's text to you at the top of 20 the page, she says: "So, I am going to 21 continue to until we have that someone. 22 Even tho I want to pack my shit and say F 23 you Susan and leave sometimes...Being in</p> | <p style="text-align: right;">Page 293</p> <p>1 or revenue that they were earning for 2 their team, I believe. Lauren and I were 3 really struggling to figure out a way. 4 Q. And they needed to get out of 5 the way during the prime years of her 6 career. Is that right? 7 A. Well, she transferred down there 8 with the -- at some -- or she was told 9 that Susan was on her way to retire, and 10 Susan kept pushing it off, pushing it 11 off. And then Susan, for some reason, 12 wouldn't work with her to be her 13 associate broker. Brandon brought it to 14 my attention, asked if I thought it was 15 because she was gay. And I said I 16 didn't, but I might now. It's not 17 something that I had thought about. 18 Q. So you were okay with Susan 19 leaving? 20 A. I was -- I'm not sure if I -- I 21 mean, I would have been okay. I was okay 22 that she stayed. 23 Q. Well, let's talk about that.</p> |
| <p style="text-align: right;">Page 292</p> <p>1 the middle sucks - blame is always 2 pointed at you when things go wrong and 3 your value gets questioned. All I'm 4 trying to do is help keep this ship 5 sailing in the right direction until 6 Susan and Dave F'ing retire and Lee and I 7 get to run the shit. But I really do see 8 where you are coming from. I can't say I 9 wouldn't do the same thing in your case." 10 And your response to her is: "I 11 totally did not mean that to sound bitchy 12 but it totally did. Sorry! These are 13 your prime years in life and career so 14 Susan and Dave need to get the fuck out 15 already. I know you got this. You are 16 already succeeding and just getting 17 started. #teamlindberg." 18 Was that your advice to her? 19 A. Lee McClure was making the money 20 for that team, and so it had to do with 21 that too, that -- it wasn't part of 22 getting out of the way. It was so that 23 they could be paid the full commissions</p> | <p style="text-align: right;">Page 294</p> <p>1 Let's look at Bates -- your -- these text 2 messages Bates-labeled 781. 3 A. Yeah. 4 Q. Okay. At the bottom of the 5 page, you say, "She would not be able to 6 make it through the whole day without 7 alcohol." 8 That "she" you're talking about 9 is Ms. Susan Phillips; correct? 10 A. I was a little concerned about 11 her. 12 Q. And Lauren Lindberg's response: 13 "I know...I could tell that's all she was 14 thinking about in our meeting." 15 And your response to Ms. 16 Lindberg was: "She knows that they 17 cannot push her out of the spot. So you 18 got to push her out." Correct? 19 A. That's what it says. 20 Q. Okay. So you were then advising 21 Ms. Lindberg that she needed to push out 22 the only female broker, senior broker at 23 CRC?</p> |

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| <p style="text-align: right;">Page 295</p> <p>1 A. Because she was being paid Lee 2 and Lauren's revenue. Her book of 3 business -- I think hers and Dave's 4 couldn't support their team. I wasn't in 5 a management position either. 6 Q. What does that have to do with 7 anything? 8 A. Just Susan was. 9 Q. I'm sorry? 10 A. Susan was. 11 Q. Let's look at page 706, the text 12 messages at the bottom of this page where 13 she's asking you -- Ms. Lindberg is 14 asking you, "What was the thing I needed 15 to google? The type of suit." 16 You respond -- responded, 17 "Gender bias/failure to promote." 18 What was that in connection 19 with? 20 A. We were selling employment 21 practice liability policies. The -- the 22 more I learned about them, I hadn't 23 realized what a big risk it was for</p> | <p style="text-align: right;">Page 297</p> <p>1 was just a EPL-type joke. She needed to 2 talk to somebody. I -- it -- the women 3 had been complaining. It was known that 4 the women thought that there weren't 5 opportunities for them. And we were a 6 professional liability department. 7 Q. But my question was specifically 8 about the early retirement comment and 9 what you meant by that. 10 A. I'm not sure. 11 Q. If you would look with me at 12 page 711. And your text message to her 13 dated February 21st, '18, says: "You 14 know, I bet Brandon would like to help 15 you quote, bind and submit things to 16 market. He seems pretty eager to learn 17 but doesn't have anyone training him. 18 You could kind of make him your bitch." 19 A. It was a joke. 20 Q. Would -- do you think it would 21 be appropriate if the male brokers in the 22 office were texting each other about 23 making you their bitch?</p> |
| <p style="text-align: right;">Page 296</p> <p>1 companies. And I think that we had got 2 in a conversation about it, so I told her 3 to Google it. 4 Q. Well, were you suggesting her to 5 bring that lawsuit to -- that type of 6 lawsuit? 7 A. No. 8 Q. Okay. Let's look at 779. The 9 picture at the top of the page that you 10 texted to Ms. Lindberg is John Saxon's 11 business card. Is that right? 12 A. It is. 13 Q. Okay. And your next text to her 14 underneath that says, "early retirement." 15 What did you mean by that? 16 A. I think maybe I was trying to 17 lighten the moment of -- we were -- as we 18 were realiz- -- I was realizing that I 19 wasn't going to have a career at CRC. 20 Q. Well, were you suggesting that 21 you could sue CRC and get enough money to 22 retire early? 23 A. I don't think so. I think it</p> | <p style="text-align: right;">Page 298</p> <p>1 MS. PALMER: Object to form. 2 A. Would it be appropriate? 3 Q. Yes. 4 A. I don't know. 5 Q. Would you find that to be 6 discriminatory if male employees were 7 texting each other about making you their 8 bitch? 9 MS. PALMER: Object to form. 10 A. I don't think I was saying it 11 because he was a man. 12 Q. Okay. But that's different from 13 my question. I mean, -- 14 A. Can you repeat the question? 15 Q. If men were saying that about 16 you, would you find that to be 17 discriminatory? If they were talking 18 about giving you work to make you their 19 bitch. 20 A. Yeah, I guess so. We had. 21 Q. Look at, with me, 755. So your 22 text message to her on 11/30/2018 at 5:44 23 says: "We let them do it. We have to</p> |

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| <p style="text-align: right;">Page 299</p> <p>1 stop letting them. You need to forward 2 quotes and binders to Lee and CC Susan 3 'Lee, quote attached. Please let Susan 4 know who y'all need to get to handle.' 5 It's hard being an asshole at first but 6 you get used to it real quick." 7 Is -- is that how you handled 8 your coworkers' relationships where 9 you -- do you feel like that you were -- 10 you got used to being an asshole? 11 A. No. 12 Q. She responds to you and says: 13 Yea you're right. What sucks is that's 14 not what the agreed to help me with in 15 their meeting. They only agreed to do 16 post-binding tasks, which they barely do 17 that." 18 And then you respond: "Put it 19 on Lee. Make him man the fuck up. He is 20 such a vagina." Is that what you wrote 21 to her? 22 A. Looks like it. 23 Q. Okay. Would you find it</p> | <p style="text-align: right;">Page 301</p> <p>1 looking at that ugly ass motherfucker." 2 Ms. Hendrix, would that bother 3 you if the men in the office were calling 4 you names like ugly ass MF'er? 5 A. Probably. 6 Q. At the time you were sending 7 these text messages, this was on a phone 8 that was given to you by CRC; correct? 9 A. Correct. 10 Q. And your account was paid for by 11 CRC; correct? 12 A. Correct. 13 Q. And you were sending these 14 messages during business hours; correct? 15 A. Looks like it. 16 Q. All right. Let's look at page 17 746. And I want to ask you about your 18 text in the middle of the page dated 19 October 16, 2018, that was sent at 11:16 20 p.m. in the evening to her where you say: 21 "When Clay and Corey were dragging their 22 feet on hiring a new AE I started 23 dropping the ball on non-important but</p> |
| <p style="text-align: right;">Page 300</p> <p>1 problematic if men in the office were 2 referring to you as a vagina? 3 A. Probably. 4 Q. Are you aware of anyone in the 5 office referring to you as a bitch or a 6 vagina? 7 A. No. 8 Q. All right. Let's look at 758. 9 On 758, as I understand it, you're 10 exchanging some text messages about 11 Lauren Lindberg over -- over her getting 12 an office. 13 (Witness reviews document.) 14 Q. Is that correct? 15 A. What? 16 Q. That you are texting with her 17 about her being assigned an office in 18 these text messages on -- 19 A. Looks like it. 20 Q. Okay. At your text to her on 21 December 11th, 2018, at 1:21 p.m., you 22 say that: "Rusty flat out lied to my 23 face about it. I still can't stomach</p> | <p style="text-align: right;">Page 302</p> <p>1 really annoying things...things like loss 2 run requests. I'd hold out until the 3 agent felt the need to copy one of 4 them...so they had to make the decisions 5 of Forwarding me the request or just 6 requesting the" -- excuse my language -- 7 "fucking loss runs. So that's what I 8 mean, when I say drop the ball, if you're 9 dropping it on purpose you can make sure 10 important shit gets done." 11 Is that -- first of all, is that 12 accurate in terms of what you were doing? 13 A. For Clay. 14 Q. So you were intentionally not 15 doing Clay's work so they would hire an 16 account executive? 17 A. They were already hiring an 18 account executive. 19 Q. But you said they were dragging 20 their feet on it? 21 A. Right. I had received my 22 promotion in August. 23 Q. You go on to say: "At the very</p> |

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| <p style="text-align: right;">Page 303</p> <p>1 least you and Lee should be sharing the 2 responsibility of being available if that 3 is the case with your large accounts. If 4 you guys lose those big accounts, your 5 pay would not take a big hit. Their pay 6 would take a very big hit." 7 What did you mean by that? 8 A. We didn't have big bonuses to 9 hit. I just meant that Lee's book is his 10 responsibility, and she had gone to him 11 many times for help, and we were trying 12 to figure out a way. 13 Q. Let's look at 741. And 14 specifically, I want to direct your 15 attention to the screenshot at the top of 16 the page entitled "Daugherty Agent 17 Breakout." What is that? 18 A. I created that to try to show 19 Corey that as an inside broker, I was 20 still handling more than Clay and his 21 account executive. And I felt that that 22 communicated to him some because I guess 23 I got some accounts moved off of me as an</p> | <p style="text-align: right;">Page 305</p> <p>1 like this to share with Susan and Rusty 2 and Lee." 3 So as of September 19, 2018, is 4 it correct that Mr. Daugherty was moving 5 administrative work away from you and to 6 Andrea, Yvette, and Woodward? 7 A. Yeah. Over a year after I had 8 been told I was going to be promoted. 9 Q. And the text message below that 10 says: "I still think Corey really 11 understands the difference in an inside 12 broker and an associate broker...it's 13 possible he thinks women are called 14 inside brokers and males are called 15 associate brokers." 16 What did you mean by that? 17 A. I think what it says. Clay, as 18 an associate broker, was supposed to be 19 bringing in new business and. 20 Q. Okay. And we've already 21 established that Mr. Segrest brought in 22 more business than you did; correct? 23 MS. PALMER: Object to form.</p> |
| <p style="text-align: right;">Page 304</p> <p>1 account executive. 2 Q. Right. So you said below that 3 in a text message, "I have gotten some 4 stuff shifted off of me (you're F'ing 5 welcome Woodward)." 6 What did you mean by that? 7 A. He was working the small 8 business accounts. And so I -- that's 9 what I approached Corey with was us not 10 working on accounts less than -- I can't 11 remember the amount -- that was standard 12 in every other office. I had never seen 13 a \$3 million broker working on \$1,000 14 accounts. And so I approached Corey to 15 see if he would be interested because I 16 think it -- there was -- it added up to 17 not a lot of revenue but a good amount of 18 policies. 19 Q. But you said -- you go on to 20 say: "I'm having to do a piss poor job 21 of servicing those but it's working and 22 he slowly moving them to Andrea, Yvette 23 or Woodward. You should make something</p> | <p style="text-align: right;">Page 306</p> <p>1 A. He inherited a lot more. 2 Q. Okay. And I -- and think I'd 3 asked you earlier what accounts he 4 inherited. Do you have any others that 5 you could -- I think you said there were 6 some in Denver. Any others that you 7 contend that he inherited? 8 A. I wouldn't be able to name them. 9 Q. Okay. Well, if you don't know 10 what they are, then how do you know he 11 inherited them? 12 A. I was on his team for three 13 years. So Corey had -- a lot of the book 14 in professional was all Betsy's, and when 15 she retired, I believe that's how they 16 were shifted, some of the accounts that 17 they worked on under Betsy. 18 Q. So Betsy gave them her accounts. 19 Is that what you're saying? 20 A. Corey. And then Corey would 21 have shifted them to Clay. 22 Q. And that was before you were 23 working with him; correct?</p> |

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| <p style="text-align: right;">Page 307</p> <p>1 A. Some. He -- I don't know if he</p> <p>2 had done it at this time, but Bottrell</p> <p>3 ended up moving from me. I just.</p> <p>4 Q. But you wanted that one moved,</p> <p>5 didn't you?</p> <p>6 A. I would have preferred to stay</p> <p>7 the broker on the account and just let</p> <p>8 Tiffany be the account executive.</p> <p>9 Q. So you wanted to be the broker</p> <p>10 and get the revenue, you just didn't want</p> <p>11 to have to do the work on it?</p> <p>12 MS. PALMER: Object to form.</p> <p>13 A. I wanted to be a broker.</p> <p>14 Q. On the account specifically.</p> <p>15 But you didn't want to have to do the</p> <p>16 administrative work on it. Is that</p> <p>17 right?</p> <p>18 A. Like the other brokers.</p> <p>19 Q. All right. Let's look at 771.</p> <p>20 There is a text message that says, "I</p> <p>21 believe James is wanting to hire her."</p> <p>22 I don't know who "her" is. Do</p> <p>23 you?</p> | <p style="text-align: right;">Page 309</p> <p>1 Q. Yeah. Has there ever been, that</p> <p>2 you're aware of, any criminal</p> <p>3 investigation of you at any time during</p> <p>4 your employment at CRC or since you've</p> <p>5 left?</p> <p>6 A. Not that I'm aware of.</p> <p>7 Q. Has any law enforcement agency</p> <p>8 asked you for any sort of testimony in</p> <p>9 any proceeding?</p> <p>10 A. Not that I'm aware of.</p> <p>11 Q. Have you been asked by law</p> <p>12 enforcement to produce any sort of</p> <p>13 documents?</p> <p>14 A. Not that I'm aware of.</p> <p>15 Q. Do you have any reason to</p> <p>16 believe that you are going to come under</p> <p>17 criminal investigation any time in the</p> <p>18 near future?</p> <p>19 A. Not that I'm aware of.</p> <p>20 Q. At the time you sent these text</p> <p>21 messages, this was on a phone that was</p> <p>22 owned by CRC; correct?</p> <p>23 A. Correct. Correct.</p> |
| <p style="text-align: right;">Page 308</p> <p>1 A. Maybe Mandy.</p> <p>2 Q. Okay.</p> <p>3 A. To switch from Truitt's team.</p> <p>4 Q. Well, look at the text message</p> <p>5 before that. It's redacted. Do you know</p> <p>6 why that's redacted?</p> <p>7 A. Under advice of counsel, I plead</p> <p>8 the Fifth.</p> <p>9 Q. Okay. And there's a lot of</p> <p>10 redactions in these text messages. If I</p> <p>11 ask you about them, is your response</p> <p>12 going to be the same every time?</p> <p>13 A. Under advice of counsel, I plead</p> <p>14 the Fifth.</p> <p>15 Q. Okay. Are you aware of any</p> <p>16 criminal investigation that's focused on</p> <p>17 you at this time?</p> <p>18 A. No.</p> <p>19 Q. Okay. Are you aware of any</p> <p>20 criminal investigation that concerns you</p> <p>21 that has happened either during or since</p> <p>22 you've left your employment with CRC?</p> <p>23 A. What -- can you repeat that?</p> | <p style="text-align: right;">Page 310</p> <p>1 Q. Okay. This text message, the</p> <p>2 one that's redacted, is -- looks --</p> <p>3 appears to be, on page 770, a -- Ms.</p> <p>4 Lindberg's text message, not yours. Is</p> <p>5 that right?</p> <p>6 A. I really can't tell.</p> <p>7 Q. Okay. Well, you see that your</p> <p>8 blue -- the blue text messages that are</p> <p>9 you are on the right side of the page,</p> <p>10 and the gray text messages that are hers</p> <p>11 are on the left side of the page. Would</p> <p>12 you agree with that?</p> <p>13 A. Yeah.</p> <p>14 Q. Okay. And this black box at the</p> <p>15 bottom of 770 is on the right -- on</p> <p>16 the -- more on the left-hand side of the</p> <p>17 page.</p> <p>18 A. Looks like it.</p> <p>19 Q. Okay. So, are you pleading the</p> <p>20 Fifth in relationship to something that</p> <p>21 Ms. Lindberg said to you?</p> <p>22 A. Under advice of counsel, I plead</p> <p>23 the Fifth.</p> |

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| <p style="text-align: right;">Page 311</p> <p>1 Q. All right. Let's look at the --</p> <p>2 back to the text message that we talked</p> <p>3 about on 771. It says: "I believe James</p> <p>4 is wanting to hire her and Rusty will</p> <p>5 have to let her go teach his team because</p> <p>6 he knows how Truitt has treated her.</p> <p>7 James asked me once a long time ago if I</p> <p>8 wanted to come work for him. Probably</p> <p>9 wasn't being serious but I totally think</p> <p>10 he would be the one in that department to</p> <p>11 do that."</p> <p>12 When was that?</p> <p>13 A. When was what?</p> <p>14 Q. That James asked you to come</p> <p>15 work for him.</p> <p>16 A. It wasn't a formal ask. It was</p> <p>17 either when he was hiring Sarah Dunston's</p> <p>18 replacement or Brooke, who worked for him</p> <p>19 before. I asked him what the position</p> <p>20 was, I believe, because he was looking</p> <p>21 for an account executive.</p> <p>22 Q. Okay. And for the record, do</p> <p>23 you know James' last name?</p> | <p style="text-align: right;">Page 313</p> <p>1 poop emoji and then a dancing emoji.</p> <p>2 What I want to ask you about</p> <p>3 that text message is, you were advising</p> <p>4 Ms. Lindberg that she could go out and</p> <p>5 pursue her own business, correct, as --</p> <p>6 A. I wasn't advising her.</p> <p>7 Q. -- as an inside broker?</p> <p>8 A. She was an account executive.</p> <p>9 Q. Okay. In 20- -- in March of</p> <p>10 2019, she was still an account executive?</p> <p>11 A. She was an account executive the</p> <p>12 whole time I worked there.</p> <p>13 Q. Okay. Are you aware that at</p> <p>14 some point she became an inside broker?</p> <p>15 A. Yes. After my complaint, she</p> <p>16 was promoted to inside broker.</p> <p>17 Q. Is it your contention that she</p> <p>18 got promoted because you complained?</p> <p>19 A. She said she wasn't informed</p> <p>20 that she was getting the promotion and</p> <p>21 she was not required to sign the</p> <p>22 noncompete that I had had reviewed by an</p> <p>23 attorney. So I didn't know, but I felt</p> |
| <p style="text-align: right;">Page 312</p> <p>1 A. Powell.</p> <p>2 Q. And was he a senior broker?</p> <p>3 A. He was.</p> <p>4 Q. Okay. All right. Let's look at</p> <p>5 page 802 -- no, 785. The middle of the</p> <p>6 page. I want to ask you about this text</p> <p>7 that you sent to Ms. Lindberg on March</p> <p>8 20th, 2019. You say: "Friendly</p> <p>9 reminder... you are allowed to go out and</p> <p>10 find your own agent/accounts right now.</p> <p>11 On nights Kelly has to work, You could</p> <p>12 cruise LinkedIn and find some social</p> <p>13 service/healthcare women and message</p> <p>14 them."</p> <p>15 MS. PALMER: I'm sorry, Rachel,</p> <p>16 what page are you on?</p> <p>17 MS. BARLOTTA: 785.</p> <p>18 MS. PALMER: I was on 802.</p> <p>19 Q. And you write this dialogue</p> <p>20 where Lee would say, "what are you</p> <p>21 working on?" You would say, "a new biz</p> <p>22 submission from a retailer I connected</p> <p>23 with on linked in." And then there's a</p> | <p style="text-align: right;">Page 314</p> <p>1 that maybe.</p> <p>2 Q. You felt that maybe she got</p> <p>3 promoted because you made a complaint?</p> <p>4 A. This isn't -- well, this is --</p> <p>5 this is before then.</p> <p>6 Q. Yeah.</p> <p>7 A. So she was --</p> <p>8 Q. I understand.</p> <p>9 A. -- an account executive.</p> <p>10 Q. Yeah. Okay. I understand that.</p> <p>11 That's your testimony. I was just asking</p> <p>12 you about the second part of that</p> <p>13 testimony where you said that she got</p> <p>14 promoted to inside broker after you made</p> <p>15 a complaint. And I was trying to</p> <p>16 clarify, is that your -- is that your --</p> <p>17 are you asserting that in this case, that</p> <p>18 the reason that Ms. Lindberg got promoted</p> <p>19 was because you complained?</p> <p>20 A. No. She was going to be</p> <p>21 promoted anyway.</p> <p>22 Q. Okay.</p> <p>23 A. But they had been telling her</p> |

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| <p style="text-align: right;">Page 315</p> <p>1 that for years, I believe.</p> <p>2 Q. This friendly reminder that you</p> <p>3 sent her about cruising LinkedIn and</p> <p>4 finding potential clients, was that</p> <p>5 something that you did?</p> <p>6 A. No. I don't think so.</p> <p>7 Q. Why not?</p> <p>8 A. When was this?</p> <p>9 (Witness reviews document.)</p> <p>10 A. Why wasn't I --</p> <p>11 Q. Well, I mean, you -- you were</p> <p>12 suggesting that for her, that she could</p> <p>13 go out and get her own business. I'm</p> <p>14 just saying, why did you not follow that</p> <p>15 suggestion for yourself?</p> <p>16 A. I don't know.</p> <p>17 Q. Okay. All right. Let's look at</p> <p>18 802. Well, actually, let's go by -- look</p> <p>19 at 803, 803. There's a series of text</p> <p>20 messages that start on October 15th,</p> <p>21 2019, with Ms. Lindberg and continue on</p> <p>22 through page Bates-labeled Hendrix 804</p> <p>23 about you all meeting. And am I correct</p> | <p style="text-align: right;">Page 317</p> <p>1 off the record at 5:10.</p> <p>2 (Break taken.)</p> <p>3 THE VIDEOGRAPHER: We're going</p> <p>4 back on the record at 5:22.</p> <p>5 Q. (By Ms. Barlotta) Okay. Ms.</p> <p>6 Hendrix, I'm showing you what I've marked</p> <p>7 as Defendant's Exhibit 22, which are text</p> <p>8 messages that we received that you</p> <p>9 produced in this case. And I understand</p> <p>10 these are text messages with Sarah Brown.</p> <p>11 Can you tell me who Sarah Brown is?</p> <p>12 (Defendant's Exhibit 22 was marked for</p> <p>13 identification and is attached.)</p> <p>14 A. She was an in-house underwriter.</p> <p>15 Q. Who worked at CRC?</p> <p>16 A. Yes.</p> <p>17 Q. I want to direct your attention</p> <p>18 to 881. And you're telling her on</p> <p>19 February 4th, 2018 -- the text message</p> <p>20 box towards the top of the page that's</p> <p>21 time-stamped 9:42 p.m. says: "Or ask</p> <p>22 Scott if he can help you or do you need</p> <p>23 to talk to Rusty? Every single person</p> |
| <p style="text-align: right;">Page 316</p> <p>1 that you end up deciding to meet her at</p> <p>2 The Cheesecake Factory?</p> <p>3 A. I believe so.</p> <p>4 Q. And this was while you were out</p> <p>5 on medical leave; correct?</p> <p>6 A. Yes.</p> <p>7 Q. So you felt well enough to be</p> <p>8 able to meet her at The Cheesecake</p> <p>9 Factory and -- is that right?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And did you talk about</p> <p>12 things involving CRC in that meeting?</p> <p>13 A. I'm sure we did.</p> <p>14 Q. Did you talk about your</p> <p>15 complaint, that you had hired an</p> <p>16 attorney?</p> <p>17 A. I can't remember. I know I told</p> <p>18 her at some point.</p> <p>19 MS. PALMER: Would this be a</p> <p>20 good time to take the last break of the</p> <p>21 day?</p> <p>22 MS. BARLOTTA: Sure.</p> <p>23 THE VIDEOGRAPHER: We're going</p> | <p style="text-align: right;">Page 318</p> <p>1 you work with would back you up in saying</p> <p>2 'I am overqualified to be an underwriter</p> <p>3 assistant' So say it loud and say it</p> <p>4 often."</p> <p>5 And she says: "Im going to tell</p> <p>6 Scott at the review to see what he says.</p> <p>7 I wish we had another person on our team</p> <p>8 to do just administrative work."</p> <p>9 This Scott who you're talking</p> <p>10 about, is that Scott Trigg?</p> <p>11 A. Yes.</p> <p>12 Q. And was he the head underwriter?</p> <p>13 A. I guess.</p> <p>14 Q. Or do you know what his job</p> <p>15 title was?</p> <p>16 A. He was an underwriter, program</p> <p>17 manager maybe.</p> <p>18 Q. And you go on to tell her: "I</p> <p>19 might say 'I'm ready to be an</p> <p>20 underwriter. How do we make that</p> <p>21 happen?'"</p> <p>22 And she responds: "I always</p> <p>23 plan to go in there guns blazing, but end</p> |

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| <p style="text-align: right;">Page 319</p> <p>1 up chickening out every time. I get so 2 nervous." 3 You respond, "I do too. But I 4 asked and look what happened." 5 What did you mean by that? 6 A. My promotion, I think. 7 Q. Your promotion to inside broker? 8 A. I'm -- I'm assuming yes. 9 Q. Okay. 10 A. And Sarah was already doing the 11 underwriting at this point. 12 Q. Okay. Let's look at 9- -- well, 13 no. Let's look at 908 first. The bottom 14 text, I wanted to ask you about the very 15 bottom of this page that's time -- 16 date-stamped March 17, 2018. 17 "I'm going to ask Corey this 18 week if he thinks we could either move 19 bottrell research triangle to Andrea. 20 Because I cannot be the AE on two of our 21 largest agencies and be trying to broker 22 business." 23 Was that the account you had</p> | <p style="text-align: right;">Page 321</p> <p>1 A. I am not positive that it was -- 2 Q. Okay. 3 A. -- because I'm not sure I asked 4 Corey or -- 5 Q. Well, when do you recall them 6 being moved? 7 A. Research Triangle? 8 Q. Or Bottrell. 9 A. I really am not sure. I 10 couldn't say. 11 Q. Okay. So you don't know if it 12 was 2017, 2018? 13 A. Well, it would've had to have 14 been after 2018. I mean, after this day; 15 right? 16 Q. I would assume so, but you tell 17 me. 18 A. I mean, -- 19 Q. Because you said you weren't 20 sure about the date, so. 21 A. It would be after that. 22 Q. But you don't know whether it 23 was 2018 or early 2019?</p> |
| <p style="text-align: right;">Page 320</p> <p>1 mentioned earlier in your deposition 2 testimony involving the schools? 3 A. That was moved to Clay and 4 Tiffany? Yeah. I think so. 5 Q. Okay. 6 A. Yeah, it is. 7 Q. And did you ask Corey to move 8 that to Andrea? 9 A. I don't know if I ever ended up 10 asking or -- I feel like Andrea 11 volunteered to him that she would take 12 Research Triangle to help me out. I 13 think that that's how it happened. 14 Because she saw that I was trying. 15 Q. All right. Let's look at 927. 16 Well, let -- before I ask -- before I 17 move to that page, is that when they were 18 moved? Around the time that it -- that 19 it was moved, was it March of 2018? 20 A. I am not sure. 21 Q. Okay. Do you have any reason to 22 think they wouldn't have been moved 23 around that time?</p> | <p style="text-align: right;">Page 322</p> <p>1 A. (Witness shakes head.) 2 Q. Is that a no? 3 A. No. 4 Q. Okay. All right. I want to 5 talk to you about 926, a text message 6 dated May 4th, 2018, where you say: "You 7 will die when I tell you about Clay and I 8 talking...like holy balls. As I left 9 last night, I thought we were having a 10 casual conversation to which he followed 11 up with a very formal email later that 12 night about how he did not want to 13 overwhelm Tiffany therefore nothing about 14 the agent split was going to be changing 15 right now. I responded being as polite 16 as I could and said I was sorry for the 17 confusion but I was not asking him...bc 18 it is a question for Corey." 19 Is that an accurate depiction of 20 your conversation with Mr. Segrest about 21 giving work to Tiffany, shifting work 22 from you to Tiffany? 23 A. The Bottrell? I -- or that --</p> |

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| <p style="text-align: right;">Page 323</p> <p>1 the conversation that we had -- I don't 2 know what accounts, but I believe that 3 that it was around the time where I was 4 trying to have the conversation with him 5 to see if it could be a possibility to be 6 an inside broker for him as well, but I 7 wouldn't be able to do that -- so that he 8 could be on the road more bringing in 9 business. 10 Q. Okay. But again, is this 11 accurate that he -- when he said that he 12 didn't want to change things with 13 Tiffany, you said that it's not asking 14 you, this is a question for Corey? 15 A. I guess I did. 16 Q. Okay. Then it goes on to say -- 17 you go on to say -- she asked you if he 18 included Corey on the e-mail. You say, 19 "He might have bcc'ed him but not sure." 20 And you said, "It reminded me where my 21 confidence has been for the past 4 22 years." 23 She says: "Good for you</p> | <p style="text-align: right;">Page 325</p> <p>1 facade that they are adding value to a 2 transaction but in reality doing zero 3 work." 4 What did you mean by that he was 5 "super jealous"? 6 A. I am not sure at the time what I 7 was referring to. 8 Q. And so as of May 4th of 2018, 9 you were motivated to crush Clay Segrest. 10 Is that right? 11 A. Sarah and I were good friends. 12 I'm not sure that would have been my 13 intention to her. I was just expressing 14 some anger or frustration about him. 15 Q. But you do refer to Mr. Segrest 16 and Mr. O'Connor as "entitled little 17 bitches"; correct? 18 A. It looks like it. 19 Q. All right. Let's look at 946. 20 I want to ask you about your screenshot 21 of an e-mail that Mr. Daugherty sent you 22 about lunch on -- a screenshot, anyway, 23 was sent to Sarah Brown on August 2nd,</p> |
| <p style="text-align: right;">Page 324</p> <p>1 responding like that. Like my mouth just 2 dropped open when I read that. He's so 3 jealous of you and the fact you are 4 rocking it. And hell, Tiffany isn't 5 overwhelmed or at least I don't think she 6 is. She is eager to do and help in 7 anyway." 8 And your response on the next 9 page is: "Oh, I know. I asked her first 10 bc I knew she was the one it would 11 affect. He would just get the revenues. 12 Super jealous. The email almost made me 13 feel bad for him but instead I'm 14 going" -- "I think I'm going to let it 15 motivate me to crush him. If this Willis 16 deal actually is an opportunity I'm going 17 to have a closed-door meeting with Rusty 18 and Corey and tell time both I do not 19 want Clay nor Tyler working on this deal 20 because they will ruin it. They are the 21 very definition of why retailers like 22 Willis do not work with wholesalers... 23 entitled little bitches putting on a</p> | <p style="text-align: right;">Page 326</p> <p>1 2018. And I know the print on that is 2 small. But as I read it, it looks like 3 Mr. Daugherty sent you an e-mail that 4 says: "Does next Thursday the 9th work 5 to grab lunch? I thought this week was 6 going to be good but I forgot Holly had 7 me" -- doing something and a -- "meeting 8 on Thursday and I have" -- something -- 9 "on Friday. If so I am dropping it in 10 the calendar now." 11 And then you write under that, 12 "Motherfucker." What was upsetting to 13 you about -- well, let me ask you. 14 You're referring to Mr. Daugherty as 15 MF'er; right? 16 A. Or the situation. I think he 17 was postponing a lunch. 18 Q. What about that was upsetting to 19 you that he was postponing the lunch to 20 the 9th? 21 A. Maybe he had postponed it 22 before. I don't know. Or I was ready to 23 talk to him that day. I don't know.</p> |

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| <p style="text-align: right;">Page 327</p> <p>1 Q. Do you know what you wanted to</p> <p>2 talk to him about in August of 2018?</p> <p>3 A. I believe that that's when I</p> <p>4 gave him some charts -- I think that</p> <p>5 that's when -- to illustrate the</p> <p>6 breakdown of the team. It could have</p> <p>7 been also around Woodward. I'm not</p> <p>8 positive. But I was there to tell him</p> <p>9 that I didn't think anything about my job</p> <p>10 had changed since our lunch a year ago.</p> <p>11 Q. And this was after Tiffany</p> <p>12 Sanders had been hired. Is that right?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And this is after you had</p> <p>15 a large number of policies shifted away</p> <p>16 from you to Ms. Sanders; correct?</p> <p>17 A. I had more put on me.</p> <p>18 Q. I thought you said initially.</p> <p>19 But if I recall that policy count, you</p> <p>20 had the least amount that we looked at</p> <p>21 earlier. Do we need to go back and look</p> <p>22 at that again?</p> <p>23 A. Yeah.</p> | <p style="text-align: right;">Page 329</p> <p>1 count by percentage for Mr. Daugherty's</p> <p>2 team, you had 19 percent and Tiffany had</p> <p>3 17 percent; correct?</p> <p>4 A. Correct. And I was an inside</p> <p>5 broker, and she was an account executive.</p> <p>6 So that was Tiffany's and Clay's. That</p> <p>7 represents all of -- both their numbers.</p> <p>8 Q. And so after you became an</p> <p>9 inside broker, were you expecting your</p> <p>10 policy count to go to zero?</p> <p>11 A. Maybe not zero, but I did not</p> <p>12 expect to get more than I had before.</p> <p>13 Q. And if you had 158 before you --</p> <p>14 at the time you were an inside broker,</p> <p>15 how much did you have when you were --</p> <p>16 how many accounts do you think you had</p> <p>17 when you were an account executive?</p> <p>18 A. Well, I worked on Corey's and</p> <p>19 Clay's, so all those 140 would have been</p> <p>20 ones I worked on, I guess.</p> <p>21 Q. That got transferred to Tiffany?</p> <p>22 A. Well -- right.</p> <p>23 Q. So, is it your testimony that</p> |
| <p style="text-align: right;">Page 328</p> <p>1 Q. Okay. Let's do it this way.</p> <p>2 I'm showing you what I've marked as</p> <p>3 Defendant's Exhibit 23. It's a</p> <p>4 compilation of spreadsheets we produced.</p> <p>5 And specifically, if we look at page</p> <p>6 Bates-labeled 4739 --</p> <p>7 (Defendant's Exhibit 23 was marked for</p> <p>8 identification and placed under seal.)</p> <p>9 A. I am not there.</p> <p>10 Q. It's at the top.</p> <p>11 A. Oh, sorry. I got it.</p> <p>12 Q. And I don't know the date on</p> <p>13 this, so if you have any idea about the</p> <p>14 date, let me know that. But this was --</p> <p>15 was this something that you created, this</p> <p>16 policy count? Is that your testimony?</p> <p>17 A. I would have pulled the numbers</p> <p>18 out of AIM. I think there's a folder on</p> <p>19 the laptop that has a lot of -- several</p> <p>20 of these graphs because I was at some</p> <p>21 point just trying to see where I stood.</p> <p>22 Q. Okay. But it looks like, if we</p> <p>23 look at this, we do the per- -- policy</p> | <p style="text-align: right;">Page 330</p> <p>1 after those 140 policies were transferred</p> <p>2 to Tiffany, that you -- you just did not</p> <p>3 have time to broker business?</p> <p>4 A. 158 were put on me. So --</p> <p>5 Q. Well, is that more? I mean, I'm</p> <p>6 confused. I thought you said that</p> <p>7 the hundred -- you had more than that as</p> <p>8 an account executive and they got moved</p> <p>9 to Tiffany.</p> <p>10 A. Well, I worked on Clay and</p> <p>11 Corey's stuff, and Tiffany was hired just</p> <p>12 to work on Clay's stuff, so. I might</p> <p>13 have had additional accounts.</p> <p>14 Q. And after Tiffany was hired, you</p> <p>15 were not working on Clay's stuff anymore?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. So those 158 policies</p> <p>18 were just for Mr. Daugherty. Is that</p> <p>19 right?</p> <p>20 A. I -- I don't know.</p> <p>21 Q. Okay.</p> <p>22 A. I'm not sure.</p> <p>23 Q. Okay. I guess I'm trying to</p> |

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| <p style="text-align: right;">Page 331</p> <p>1 figure out how it was that you're --</p> <p>2 you're contending that your policy --</p> <p>3 after Ms. Sanders was hired that your</p> <p>4 policy count went up. Maybe you're not</p> <p>5 contending that. I just want to make</p> <p>6 sure.</p> <p>7 A. Can you repeat that?</p> <p>8 Q. Yeah. Are you -- is it -- are</p> <p>9 you saying that even after Tiffany was</p> <p>10 hired, that your policy count went up?</p> <p>11 Or did it go down after she was hired?</p> <p>12 A. I -- it went up. And this I'm</p> <p>13 not sure is from then. There was --</p> <p>14 Corey gave us -- he had printed out all</p> <p>15 the agents with the revenues, the policy</p> <p>16 counts, and -- with the new splits on</p> <p>17 them. So this was -- this isn't that.</p> <p>18 This is something I created.</p> <p>19 Q. Okay. I'm talking, though,</p> <p>20 about this specific exhibit that we're</p> <p>21 looking at right now and this policy</p> <p>22 count which you said you created. I</p> <p>23 understand we don't have a date on it,</p> | <p style="text-align: right;">Page 333</p> <p>1 trying to figure out.</p> <p>2 A. On this sheet, at that time, I</p> <p>3 guess I did.</p> <p>4 Q. Well, at this time, you were an</p> <p>5 inside broker; correct?</p> <p>6 A. Correct.</p> <p>7 Q. Okay. So --</p> <p>8 MS. PALMER: Object to the form.</p> <p>9 Q. So -- well, after Tiffany was</p> <p>10 hired, you were an inside broker; right?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. So again, if, after</p> <p>13 Tiffany is hired, you have -- she has 140</p> <p>14 policies, some of those policies that you</p> <p>15 were working on for Clay went to her;</p> <p>16 correct? Excuse me. Not policies,</p> <p>17 accounts that went -- went to her;</p> <p>18 correct?</p> <p>19 A. Yes.</p> <p>20 Q. That would mean that your</p> <p>21 accounts decreased.</p> <p>22 A. There were some shifted, I</p> <p>23 believe, off of Andrea and Yvette too, so</p> |
| <p style="text-align: right;">Page 332</p> <p>1 but we have -- we know it was sometime</p> <p>2 after Ms. Sanders was hired. We can</p> <p>3 agree on that; right?</p> <p>4 A. Right.</p> <p>5 Q. Okay. So you said -- you keep</p> <p>6 saying that you -- your policy count went</p> <p>7 up after Tiffany was hired, and I'm</p> <p>8 trying to figure out how that was</p> <p>9 possible. I mean, --</p> <p>10 A. Some were shifted off of Andrea</p> <p>11 and Yvette as well and -- and put on</p> <p>12 mine.</p> <p>13 Q. Okay. So when you were an</p> <p>14 account executive, Andrea and Yvette had</p> <p>15 over 200 and you had fewer than 150</p> <p>16 policies when you were an account</p> <p>17 executive?</p> <p>18 A. It looks like it.</p> <p>19 Q. No, you don't -- no, not "it</p> <p>20 looks like it." You tell me what --</p> <p>21 that's your -- because I don't know how</p> <p>22 many policies you had when you were an</p> <p>23 account executive. That's what I'm</p> | <p style="text-align: right;">Page 334</p> <p>1 we would need the spreadsheet that Corey</p> <p>2 created and presented to the team in</p> <p>3 order --</p> <p>4 Q. What spreadsheet are you</p> <p>5 thinking of?</p> <p>6 A. He created an agency -- the new</p> <p>7 agency split, the new retailer split --</p> <p>8 Q. Okay.</p> <p>9 A. -- that -- the meeting we had in</p> <p>10 January, I think.</p> <p>11 Q. Okay.</p> <p>12 A. I haven't seen it within the --</p> <p>13 MS. BARLOTTA: Kayla, can you</p> <p>14 put your hands on that?</p> <p>15 MS. WUNDERLICH: I haven't seen</p> <p>16 it.</p> <p>17 MS. BARLOTTA: We don't have it?</p> <p>18 Okay.</p> <p>19 Q. And when was that?</p> <p>20 A. I believe it was January 2018.</p> <p>21 Q. Okay.</p> <p>22 A. And Andrea made the comment when</p> <p>23 he handed it to us, why does Kat have</p> |


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| <p style="text-align: right;">Page 335</p> <p>1 more accounts now than she.</p> <p>2 Q. Okay. And that was -- you said</p> <p>3 that was -- and did it change after that?</p> <p>4 Did your accounts go down or up after</p> <p>5 that meeting?</p> <p>6 A. I don't remember. I don't think</p> <p>7 they did. That's the one where I'm left</p> <p>8 suggesting that Corey knew something I</p> <p>9 didn't.</p> <p>10 Q. Okay. All right. Can you go</p> <p>11 back to your text messages with Ms. --</p> <p>12 A. Brown or Lindberg?</p> <p>13 Q. -- Lindberg, which is</p> <p>14 Defendant's Exhibit 21. 741 of that</p> <p>15 document. And we looked at these text</p> <p>16 messages earlier, and I thought I</p> <p>17 understood what you were saying, but your</p> <p>18 recent testimony has me confused now.</p> <p>19 So you've texted Ms. Lindberg</p> <p>20 with a screenshot of the breakout that we</p> <p>21 just looked at in Defendant's Exhibit 23,</p> <p>22 and you said to her, "I've got some stuff</p> <p>23 shifted off of me," which I understood to</p> | <p style="text-align: right;">Page 337</p> <p>1 A. -- and one of me.</p> <p>2 Q. So you're saying with this --</p> <p>3 what you could have meant by this is that</p> <p>4 you sent this to Corey to say, "Look, I</p> <p>5 have 158 policies and that's too many,"</p> <p>6 and then after that, you got stuff</p> <p>7 shifted of you?</p> <p>8 A. I had been a broker over a year,</p> <p>9 trying to get work -- or administrative</p> <p>10 stuff shifted off of me.</p> <p>11 Q. Well, that's what I'm saying.</p> <p>12 Is that what you were saying to her, that</p> <p>13 you sent -- you presented this, this</p> <p>14 screenshot of this, or you presented this</p> <p>15 particular chart to Mr. Daugherty saying,</p> <p>16 "Look, I've got 19 percent of the</p> <p>17 accounts," and then in response to that,</p> <p>18 he shifted stuff off of you?</p> <p>19 A. I -- I don't know if this is all</p> <p>20 I provided him because I mentioned Corey</p> <p>21 Woodward, and I know there were other</p> <p>22 graphs.</p> <p>23 Q. Okay. That's fine. At some</p> |
| <p style="text-align: right;">Page 336</p> <p>1 mean that you had less stuff because it</p> <p>2 had been shifted off of you. Is that</p> <p>3 accurate?</p> <p>4 A. I'm not sure if that's what that</p> <p>5 graph reflects or if that is the graph</p> <p>6 before I had stuff shifted off of me.</p> <p>7 Q. What do you mean, the graph</p> <p>8 before you had stuff shifted off of you?</p> <p>9 A. Did I present this to him and</p> <p>10 then, in turn, it was shifted off, so</p> <p>11 this would reflect prior to.</p> <p>12 Q. Okay. Does that make sense to</p> <p>13 you that you would have sent this</p> <p>14 screenshot to her with a text message</p> <p>15 immediately following it saying, "I've</p> <p>16 gotten some stuff shifted off of me"?</p> <p>17 A. Yes. Like this would be the</p> <p>18 document that I presented to Corey to</p> <p>19 show what the teams were working on. I</p> <p>20 wish I had put Tiffany and Clay on the</p> <p>21 same line so it was -- it would represent</p> <p>22 better what -- there's two of them --</p> <p>23 Q. Okay.</p> | <p style="text-align: right;">Page 338</p> <p>1 point, Ms. Hendrix, can we agree that you</p> <p>2 presented some documentation -- according</p> <p>3 to this text message, you presented some</p> <p>4 documentation to Ms. Daugherty -- I mean,</p> <p>5 Mr. Daugherty, and in response to that,</p> <p>6 he shifted work off of you?</p> <p>7 A. (Witness nods head.) I --</p> <p>8 Q. Is that a yes?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. Back to your text</p> <p>11 messages with Ms. Brown, can you look</p> <p>12 with me at 984. I want to ask you about</p> <p>13 these text messages at the top of the</p> <p>14 page where you said, on the 15th, "How</p> <p>15 long are they going to let" -- excuse me.</p> <p>16 Sarah said to you: "How long are they</p> <p>17 going to let Susan do that? You can't</p> <p>18 come in for 1 hour a week and still have</p> <p>19 an office. You should get one and him</p> <p>20 get the other."</p> <p>21 And you responded: "As long as</p> <p>22 she wants...old women are untouchable in</p> <p>23 today's Corp world."</p> |

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| <p style="text-align: right;">Page 339</p> <p>1 What did you mean by that?</p> <p>2 A. We sold employment practice</p> <p>3 liability, so I guess I believed that</p> <p>4 older women were a liability. I'm not</p> <p>5 sure.</p> <p>6 Q. So, does that mean -- would it</p> <p>7 be your testimony then that the only</p> <p>8 women who were discriminated against at</p> <p>9 CRC would be younger women?</p> <p>10 A. No.</p> <p>11 Q. Well, do you think Ms. Phillips</p> <p>12 was discriminated against?</p> <p>13 A. She was throughout her whole</p> <p>14 career, she said. Her advice was -- or</p> <p>15 she said I wasn't going to change it.</p> <p>16 Q. And you told Ms. Brown that she</p> <p>17 was untouchable; correct?</p> <p>18 A. Looks like it.</p> <p>19 Q. All right.</p> <p>20 A. Ms. Brown was an EPLI</p> <p>21 underwriter too.</p> <p>22 Q. Okay. I'm showing you what I've</p> <p>23 marked as Defendant's Exhibit 24. It's</p> | <p style="text-align: right;">Page 341</p> <p>1 Is that right?</p> <p>2 (Defendant's Exhibit 25 was marked for</p> <p>3 identification and is attached.)</p> <p>4 A. Yes.</p> <p>5 Q. And Hiscox was an</p> <p>6 underwriter/carrier.</p> <p>7 A. Uh-huh.</p> <p>8 Q. Is that right?</p> <p>9 A. Yes.</p> <p>10 Q. And he sends an e-mail out</p> <p>11 saying that he has dinner reservations at</p> <p>12 6:30 for those interested. Is that</p> <p>13 right?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. So this was a dinner</p> <p>16 invite you were included on in January of</p> <p>17 2018?</p> <p>18 A. All the other women except for</p> <p>19 Susan and Cathy are account executives</p> <p>20 too, so.</p> <p>21 Q. Okay.</p> <p>22 A. But yes. I'm not sure if I</p> <p>23 went. I can't remember.</p> |
| <p style="text-align: right;">Page 340</p> <p>1 an e-mail dated January 3rd, 20-- 2018,</p> <p>2 from Clay Segrest to Corey Daugherty and</p> <p>3 which you are copied, it says, as -- as</p> <p>4 is -- the other account executives, where</p> <p>5 he says, "Is everybody good for 4:00</p> <p>6 meeting tomorrow afternoon with drinks to</p> <p>7 follow?"</p> <p>8 (Defendant's Exhibit 24 was marked for</p> <p>9 identification and is attached.)</p> <p>10 A. A team meeting.</p> <p>11 Q. A team meeting? How often did</p> <p>12 you have team meetings?</p> <p>13 A. Is Tiffany on this? No. So she</p> <p>14 wasn't there yet.</p> <p>15 We -- not a whole lot. We tried</p> <p>16 to meet regularly for a little while, and</p> <p>17 it kind of fell off. But whole team</p> <p>18 meetings, I'm not sure. One or two a</p> <p>19 year, maybe. Kind of a guess.</p> <p>20 Q. Okay. Showing you what I've</p> <p>21 marked as Defendant's Exhibit 25. This</p> <p>22 is an e-mail from Lee McClure to multiple</p> <p>23 CRC employees including you about Hiscox?</p> | <p style="text-align: right;">Page 342</p> <p>1 Q. All right. Let me show you</p> <p>2 what's been marked as Defendant's Exhibit</p> <p>3 26, which is an e-mail that we produced</p> <p>4 between Rusty Hughes and Corey Daugherty</p> <p>5 about TDC in which Mr. Daugherty tells</p> <p>6 Mr. Hughes that: "Yvette says she was in</p> <p>7 for a drink and Kat is planning on drinks</p> <p>8 and dinner. Not sure about the others</p> <p>9 but will let you know."</p> <p>10 So, do you agree that you were</p> <p>11 invited to a drinks and dinner with TDC</p> <p>12 in February of 2018?</p> <p>13 (Defendant's Exhibit 26 was marked for</p> <p>14 identification and is attached.)</p> <p>15 A. I wouldn't dispute it.</p> <p>16 Q. And TDC was what?</p> <p>17 A. An underwriter, medical</p> <p>18 liability.</p> <p>19 (Witness reviews document.)</p> <p>20 A. That's where George Bennett went</p> <p>21 to work --</p> <p>22 Q. Okay.</p> <p>23 A. -- after he left CRC.</p> |

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| <p style="text-align: right;">Page 343</p> <p>1 Q. Showing you now what I marked as 2 Defendant's Exhibit 27. It's an e-mail 3 from Corey Daugherty dated March 8, 2018, 4 to it looks like it appears several 5 MedPro employees and then you as well. 6 And you say, "Go ahead and" -- he says, 7 "Go ahead and pencil us in for 5:00 8 Tuesday afternoon for drinks with the 9 Insured and the retailer." 10 (Defendant's Exhibit 27 was marked for 11 identification and is attached.) 12 A. Yeah. 13 Q. So based upon this e-mail, would 14 you agree that you were included on a 15 business event of drinks with MedPro? 16 A. This might be when the agent was 17 there, too. 18 (Witness reviews document.) 19 Q. Is that a yes? 20 A. Yes. I was included on the 21 e-mail. 22 Q. Well, did you go? Did you 23 recall meeting with MedPro folks with Mr.</p> | <p style="text-align: right;">Page 345</p> <p>1 Q. And underwriters. Is that -- is 2 that correct? 3 A. Yes. 4 Q. And did you attend all these 5 events with Mr. Daugherty? 6 A. I did. I believe so. 7 Q. Did any of the other account 8 executives go on this trip? 9 A. I was an inside broker, but no. 10 And it was Andrea's -- she was the 11 account executive, and I didn't work on 12 the account. 13 Q. Okay. Did you tell Mr. 14 Daugherty you didn't go if you weren't 15 working on the account? 16 A. No. I was pleased, happy to be 17 invited. 18 Q. Okay. I'm showing you what I've 19 marked as Defendant's Exhibit 29. It's 20 an e-mail -- starts with an e-mail chain 21 that begins with an e-mail from Corey 22 Daugherty dated April 4th, 2018, to the 23 brokers in the office including you. Is</p> |
| <p style="text-align: right;">Page 344</p> <p>1 Daugherty? 2 A. Yes. It was in Chicago. 3 Q. Was that the PLUS meeting in 4 Chicago? 5 A. I think -- I think that it was 6 during PLUS. PLUS medical, maybe. 7 Q. Yeah. And so I'm going to show 8 you -- 9 A. Andrea was the account executive 10 on the account. 11 Q. -- show you what I've marked as 12 Defendant's Exhibit 28 -- 13 A. Okay. 14 Q. -- which is an e-mail chain 15 between you and Mr. Daugherty about PLUS 16 Chicago from March 2018. And the bottom 17 of this e-mail shows a whole itinerary 18 that you and Mr. Daugherty had to meet 19 with various clients, or prospective 20 clients, I suppose. 21 (Defendant's Exhibit 27 was marked for 22 identification and is attached.) 23 A. And underwriters.</p> | <p style="text-align: right;">Page 346</p> <p>1 that correct? 2 (Defendant's Exhibit 29 was marked for 3 identification and is attached.) 4 (Witness reviews document.) 5 A. Ross Robertson was a account 6 executive. Christy Smith was an 7 underwriter. 8 Q. Okay. 9 A. So -- 10 Q. But he's talking about inviting 11 all of you to drinks and dinner with 12 American Empire. Is that right? 13 A. Uh-huh. 14 Q. Is that correct? 15 A. Yes. 16 Q. And he says, "They are going to 17 be a key relationship for us as the 18 senior living marketplace continues to 19 firm." 20 So you would agree he was 21 including you on a meeting with somebody 22 he considered to be a key relationship 23 for CRC. Is that right?</p> |

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| <p style="text-align: right;">Page 347</p> <p>1 A. On this meeting.</p> <p>2 MS. PALMER: I don't think you</p> <p>3 meant to give me that, Rachel.</p> <p>4 MS. BARLOTTA: Oh. Did I</p> <p>5 already give you one or did I not give</p> <p>6 you one?</p> <p>7 MS. PALMER: That's the one we</p> <p>8 just did; right? 29.</p> <p>9 MS. BARLOTTA: It is.</p> <p>10 Q. (By Ms. Barlotta) All right.</p> <p>11 I'm showing you what I've marked as</p> <p>12 Defendant's Exhibit 30. It's an e-mail</p> <p>13 from Brandon Hays to Tay -- to Trey Reich</p> <p>14 in which you and several other people at</p> <p>15 CRC are copied on regarding Bresnahan.</p> <p>16 Do you know how to pronounce that?</p> <p>17 (Defendant's Exhibit 30 was marked for</p> <p>18 identification and is attached.)</p> <p>19 A. I don't.</p> <p>20 Q. Okay. Do you know what that --</p> <p>21 who that was?</p> <p>22 A. I think he was an underwriter.</p> <p>23 Q. Did you go to that event?</p> | <p style="text-align: right;">Page 349</p> <p>1 same," did you get on the road after</p> <p>2 you -- he sent you this e-mail?</p> <p>3 A. I don't believe I did. I was</p> <p>4 kind of.</p> <p>5 Q. You were kind of what?</p> <p>6 A. I think at this time I still had</p> <p>7 my -- the full account executive load,</p> <p>8 which might have hindered my travel.</p> <p>9 Q. I'm sorry, you had full account</p> <p>10 executive load which what?</p> <p>11 A. Might have hindered my travel.</p> <p>12 That was one of the things holding me</p> <p>13 back from trying to grow.</p> <p>14 Q. At that point in time, did you</p> <p>15 have a laptop computer?</p> <p>16 A. I don't know. I had one at some</p> <p>17 point.</p> <p>18 Q. And you don't recall when you</p> <p>19 got it?</p> <p>20 A. I don't.</p> <p>21 Q. All right. I'm showing you what</p> <p>22 I've marked as Defendant's Exhibit 32.</p> <p>23 It starts -- the first page of this</p> |
| <p style="text-align: right;">Page 348</p> <p>1 A. I can't remember.</p> <p>2 Q. But you were invited to it?</p> <p>3 A. Yes. I was one of the select</p> <p>4 people that Brandon, it looks like, chose</p> <p>5 to send this one to instead of using the</p> <p>6 e-mail address that was there.</p> <p>7 Q. All right. I'm showing you what</p> <p>8 I've marked as Defendant's Exhibit 31.</p> <p>9 This is an e-mail from Mr. Daugherty to</p> <p>10 you dated July 13th, 2018, regarding a</p> <p>11 meeting in Denver. Do you recall that</p> <p>12 you took a business trip with him to</p> <p>13 Denver in July of 2018?</p> <p>14 (Defendant's Exhibit 31 was marked for</p> <p>15 identification and is attached.)</p> <p>16 A. It was professional liability</p> <p>17 departments of -- so yes.</p> <p>18 Q. Okay.</p> <p>19 A. I think that's what -- yeah.</p> <p>20 Q. When he says, "My goal between</p> <p>21 now and Thanksgiving is to be on the road</p> <p>22 as often as possible and I want you to</p> <p>23 know you have my full support to do the</p> | <p style="text-align: right;">Page 350</p> <p>1 exhibit starts with an e-mail exchange</p> <p>2 between Rusty and Corey Daugherty and</p> <p>3 George Bennett about a CRC/TDCSU Fall</p> <p>4 Summit at Willow Point. But it</p> <p>5 originates with an invitation on the</p> <p>6 second page from George Bennett at TDC to</p> <p>7 it appears multiple CRC employees</p> <p>8 throughout the country and not just from</p> <p>9 the Birmingham office. Is that accurate?</p> <p>10 (Defendant's Exhibit 32 was marked for</p> <p>11 identification and is attached.)</p> <p>12 A. I think it -- yeah. I think it</p> <p>13 was all the Birmingham and then some</p> <p>14 professional from different offices.</p> <p>15 Q. Okay. But you were not on the</p> <p>16 initial invite to this from TDC?</p> <p>17 A. It doesn't look like I was.</p> <p>18 Q. Okay. Do you have any reason to</p> <p>19 dispute that Corey Daugherty specifically</p> <p>20 reached out to George and asked to</p> <p>21 include you and Lauren?</p> <p>22 A. Huh-uh. I don't dispute that.</p> <p>23 Q. Did you end up attending this</p> |

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| <p style="text-align: right;">Page 351</p> <p>1 event?</p> <p>2 A. I did.</p> <p>3 Q. I'm showing you what I've marked</p> <p>4 as Defendant's Exhibit 33. And it</p> <p>5 appears to be an e-mail exchange from</p> <p>6 Kimberly Towles with McGriff with you and</p> <p>7 Corey -- I mean, with -- and Corey</p> <p>8 Daugherty on which you are copied.</p> <p>9 (Defendant's Exhibit 33 was marked for</p> <p>10 identification and is attached.)</p> <p>11 MS. PALMER: Sorry, Rachel, did</p> <p>12 you have one for me?</p> <p>13 MS. BARLOTTA: Oh, I'm sorry.</p> <p>14 Yes, I do.</p> <p>15 Q. Did you recall that you made a</p> <p>16 visit with Mr. Daugherty to call on Kim</p> <p>17 Towles?</p> <p>18 A. Yes.</p> <p>19 Q. And that would have been in the</p> <p>20 fall of 2018; correct?</p> <p>21 A. It looks like it.</p> <p>22 Q. Okay. All right. I'm showing</p> <p>23 you what I've marked as Defendant's</p> | <p style="text-align: right;">Page 353</p> <p>1 (Defendant's Exhibit 35 was marked for</p> <p>2 identification and is attached.)</p> <p>3 A. Yeah.</p> <p>4 Q. Is that the Tracy you're talking</p> <p>5 about here?</p> <p>6 A. Yes.</p> <p>7 Q. And where did Tracy work?</p> <p>8 A. She -- I guess she was -- yeah,</p> <p>9 she was at Willis. She left Willis at</p> <p>10 some point.</p> <p>11 Q. So you had -- you did have time</p> <p>12 to go have drinks with Ms. Nelms.</p> <p>13 A. In Birmingham, I did.</p> <p>14 Q. Is that correct? Okay.</p> <p>15 I'm showing you what I've marked</p> <p>16 as Defendant's Exhibit 36. This is an</p> <p>17 e-mail exchange dated October -- well,</p> <p>18 it's got a couple of dates. But it</p> <p>19 starts on September 12th, actually, and</p> <p>20 goes on through October 12th, 2018,</p> <p>21 between Matt DeVenne and Corey Daugherty,</p> <p>22 and you're cc'ed on this. Did you --</p> <p>23 were you involved in this meeting where</p> |
| <p style="text-align: right;">Page 352</p> <p>1 Exhibit 34, which is an e-mail exchange</p> <p>2 between you and Mr. Daugherty but with</p> <p>3 the thing concerning -- or the subject</p> <p>4 line is "Somerby Imperial Plaza." But</p> <p>5 what I wanted to ask you about was this</p> <p>6 top part where Mr. Daugherty asked you</p> <p>7 how the MedPro dinner was last night.</p> <p>8 So, do you recall that you attended a</p> <p>9 MedPro dinner in September of 2018?</p> <p>10 (Defendant's Exhibit 34 was marked for</p> <p>11 identification and is attached.)</p> <p>12 A. I think so. It was at</p> <p>13 Woolworth, maybe.</p> <p>14 Q. All right. I'm showing you what</p> <p>15 I marked as Defendant's Exhibit 35. It's</p> <p>16 an e-mail exchange between you and Mr.</p> <p>17 Daugherty dated September 18th, 2018. In</p> <p>18 your e-mail to him on the first page of</p> <p>19 this exhibit, you mention having drinks</p> <p>20 with Tracy. And I think you may have</p> <p>21 alluded to that in your testimony earlier</p> <p>22 today, that you had scheduled drinks with</p> <p>23 Tracy Nelms. Is that right?</p> | <p style="text-align: right;">Page 354</p> <p>1 you were going to fly to see --</p> <p>2 A. Yes.</p> <p>3 Q. -- Mr. DeVenne?</p> <p>4 (Defendant's Exhibit 36 was marked for</p> <p>5 identification and is attached.)</p> <p>6 A. I think DeVenne. Yeah.</p> <p>7 Q. Oh, I'm sorry. Thank you.</p> <p>8 DeVenne. And he was -- was he an agent?</p> <p>9 A. He was.</p> <p>10 Q. Was there some issue at the</p> <p>11 Willow Point -- a CRC/TDC issue --</p> <p>12 retreat where you did not want to be</p> <p>13 assigned to go on the boat, you wanted to</p> <p>14 play golf instead?</p> <p>15 A. No.</p> <p>16 Q. Okay. All right. I'm showing</p> <p>17 you what I've marked as Defendant's</p> <p>18 Exhibit 37, which is an e-mail from Rusty</p> <p>19 Hughes dated January 18th, 2019, to it</p> <p>20 looks like several brokers inside the</p> <p>21 office including you where he's telling</p> <p>22 you to mark your calendars for a dinner</p> <p>23 with RSUI and that Austin was initiating</p> |

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| <p style="text-align: right;">Page 355</p> <p>1 the dinner.</p> <p>2 THE COURT REPORTER: Initiating</p> <p>3 what?</p> <p>4 MS. BARLOTTA: Initiating the</p> <p>5 dinner.</p> <p>6 (Defendant's Exhibit 37 was marked for</p> <p>7 identification and is attached.)</p> <p>8 A. And then he was saying who to</p> <p>9 include. I went to high school with</p> <p>10 Austin, just a year.</p> <p>11 Q. Okay. But this was a dinner</p> <p>12 event that you got invited to. Is that</p> <p>13 right?</p> <p>14 A. Yes. I was -- I had attended</p> <p>15 their broker seminar, RSUI's.</p> <p>16 MS. PALMER: Rachel, that's</p> <p>17 time. We're at seven.</p> <p>18 MS. BARLOTTA: I don't -- I</p> <p>19 don't -- I don't know. Is that accurate</p> <p>20 or not?</p> <p>21 THE VIDEOGRAPHER: We're at</p> <p>22 seven hours.</p> <p>23 MS. BARLOTTA: Okay. Okay. Can</p> | <p style="text-align: right;">Page 357</p> <p>1 do it. But, you know, at this point,</p> <p>2 we've been through the merits of the</p> <p>3 case. She answered your questions I</p> <p>4 think pretty swiftly and honestly. And</p> <p>5 we have the rules for a reason, and we're</p> <p>6 going to end it at seven hours.</p> <p>7 MS. BARLOTTA: Well, I'm going</p> <p>8 to ask her the question. You can</p> <p>9 instruct her not to answer.</p> <p>10 Q. (By Ms. Barlotta) Ms. Hendrix,</p> <p>11 have you done anything to -- have you</p> <p>12 applied for any broker positions since</p> <p>13 you left CRC?</p> <p>14 MS. PALMER: Don't answer the</p> <p>15 question. We are done. It is seven</p> <p>16 hours.</p> <p>17 MS. BARLOTTA: Okay.</p> <p>18 THE VIDEOGRAPHER: Okay. This</p> <p>19 concludes the deposition of Kathryn</p> <p>20 Hendrix. We're going off the record at</p> <p>21 6:17.</p> <p>22 END OF DEPOSITION</p> <p>23 (6:17 p.m. Central)</p> |
| <p style="text-align: right;">Page 356</p> <p>1 I get in about like three more questions,</p> <p>2 four more questions? Well, actually, can</p> <p>3 I confer with her and then I'll wrap up?</p> <p>4 Because I had -- I was not aware that</p> <p>5 that was time. I thought I had about</p> <p>6 another 20 minutes.</p> <p>7 THE VIDEOGRAPHER: We're going</p> <p>8 off the record at 6:13.</p> <p>9 (Break taken.)</p> <p>10 THE VIDEOGRAPHER: We're going</p> <p>11 back on the record at 6:16.</p> <p>12 MS. PALMER: Rachel, before you</p> <p>13 ask that, I -- you've had seven hours.</p> <p>14 Politely, I'm going to have to request</p> <p>15 that we stop. The rules are clear. And</p> <p>16 you've had seven hours to ask about the</p> <p>17 merits of the case.</p> <p>18 MS. BARLOTTA: Okay. I -- all</p> <p>19 right. I mean, I don't know. It was</p> <p>20 just one question. So I mean, I don't --</p> <p>21 MS. PALMER: It's always just</p> <p>22 one question. And respectfully, I don't</p> <p>23 think that -- that we would be allowed to</p> | <p style="text-align: right;">Page 358</p> <p>1 C E R T I F I C A T E</p> <p>2 STATE OF ALABAMA)</p> <p>3 COUNTY OF JEFFERSON)</p> <p>4 I hereby certify that the above</p> <p>5 and foregoing proceeding was taken down</p> <p>6 by me by stenographic means, and that the</p> <p>7 content herein was produced in transcript</p> <p>8 form by computer aid under my</p> <p>9 supervision, and that the foregoing</p> <p>10 represents, to the best of my ability, a</p> <p>11 true and correct transcript of the</p> <p>12 proceedings occurring on said date at</p> <p>13 said time.</p> <p>14 I further certify that I am</p> <p>15 neither of counsel nor of kin to the</p> <p>16 parties to the action; nor am I in</p> <p>17 anywise interested in the result of said</p> <p>18 case.</p> <p>19 </p> <p>20 LANE C. BUTLER, RPR, CRR, CCR</p> <p>21 CCR# 418 -- Expires 9/30/23</p> <p>22 Commissioner, State of Alabama</p> <p>23 My Commission Expires: 2/11/25</p> |

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| <p style="text-align: right;">Page 359</p> <p>1 Cynthia Wilkinson, Esq. 2 cwilkinson@wilkinsonfirm.net 3 July 28, 2023 4 RE: Hendrix, Kathryn v. CRC Insurance Services, Inc., Et Al. 5 7/18/2023, Kathryn Hendrix (#5999253) 6 The above-referenced transcript is available for 7 review. 8 Within the applicable timeframe, the witness should 9 read the testimony to verify its accuracy. If there are 10 any changes, the witness should note those with the 11 reason, on the attached Errata Sheet. 12 The witness should sign the Acknowledgment of 13 Deponent and Errata and return to the deposing attorney. 14 Copies should be sent to all counsel, and to Veritext at 15 erratas-cs@veritext.com 16 17 Return completed errata within 30 days from 18 receipt of testimony. 19 If the witness fails to do so within the time 20 allotted, the transcript may be used as if signed. 21 22 Yours, 23 Veritext Legal Solutions 24 25</p> | <p style="text-align: right;">Page 361</p> <p>1 Hendrix, Kathryn v. CRC Insurance Services, Inc., Et Al. 2 Kathryn Hendrix (#5999253) 3 ACKNOWLEDGEMENT OF DEPONENT 4 I, Kathryn Hendrix, do hereby declare that I 5 have read the foregoing transcript, I have made any 6 corrections, additions, or changes I deemed necessary as 7 noted above to be appended hereto, and that the same is 8 a true, correct and complete transcript of the testimony 9 given by me. 10 11 _____ 12 Kathryn Hendrix Date 13 *If notary is required 14 SUBSCRIBED AND SWORN TO BEFORE ME THIS 15 _____ DAY OF _____, 20____. 16 17 18 _____ 19 NOTARY PUBLIC 20 21 22 23 24 25</p> |
| <p style="text-align: right;">Page 360</p> <p>1 Hendrix, Kathryn v. CRC Insurance Services, Inc., Et Al. 2 Kathryn Hendrix (#5999253) 3 E R R A T A S H E E T 4 PAGE____ LINE____ CHANGE_____ 5 _____ 6 REASON_____ 7 PAGE____ LINE____ CHANGE_____ 8 _____ 9 REASON_____ 10 PAGE____ LINE____ CHANGE_____ 11 _____ 12 REASON_____ 13 PAGE____ LINE____ CHANGE_____ 14 _____ 15 REASON_____ 16 PAGE____ LINE____ CHANGE_____ 17 _____ 18 REASON_____ 19 PAGE____ LINE____ CHANGE_____ 20 _____ 21 REASON_____ 22 _____ 23 _____ 24 Kathryn Hendrix Date 25</p> | |

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| & 2:9 5:5 7:3,5 10:8 284:23 285:21 | 004781 6:17 004806 6:14 00700 289:11 | 12th 353:19,20 13 7:17 212:17 212:23 138 7:7 13th 348:10 14 7:18 249:13 250:1 140 329:19 330:1 333:13 149 7:9 15 7:19 254:19 254:20,22 270:4 271:4 150 332:15 151 7:11 158 329:13 330:4,17 337:5 15th 315:20 338:14 16 7:21 256:7,8 256:11,17 301:19 160 7:13 161 7:15 17 8:1 265:16 266:1,7 319:16 329:3 1717 4:13 18 1:21 8:3 10:19 269:11 269:14 290:12 297:13 18362 358:19 | 10:11 352:17 354:19 19 8:4 272:16 272:20 305:3 329:2 337:16 1901 2:9 5:7 10:9 11:5 19th 290:12 1:19 160:2 1:21 300:21 1:29 249:23 1st 68:13 117:3 153:20 |
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| 99:5,12 122:13 | |
| 176:18 177:3 | |
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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate.

The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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